No. 2400

United States Circuit Court of Appeals

Ninth Circuit

Appeal from the District Court of the United States for the District of Oregon

OREGON & CALIFORNIA RAILROAD COMPANY, A Corporation, *et al.*,
Defendants and Appellants

JOHN L. SNYDER, *et al.*,
Cross-Complainants and Appellants

WILLIAM F. SLAUGHTER, *et al.*,
Interveners and Appellants

vs.

THE UNITED STATES OF AMERICA
Appellee

TRANSCRIPT OF RECORD

VOLUME XVIII

PAGES 8820-9045

TITLE

NAMES AND ADDRESSES OF SOLICITORS UPON THIS APPEAL

For Appellants
OREGON & CALIFORNIA R. R. CO., et al.:

WM. F. HERRIN,
P. F. DUNNE,
J. E. FENTON,
San Francisco, Cal.
WM. D. FENTON,
Portland, Oregon.

For Appellant—UNION TRUST COMPANY,
DOLPH, MALLORY, SIMON & GEARIN,
Portland, Oregon.
MILLER, KING, LANE & TRAFFORD, and
JOHN C. SPOONER,
New York.

For Appellants—JNO. L. SNYDER, *et al.*:
A. W. LAFFERTY,
Portland, Oregon.

For Appellants—WM. F. SLAUGHTER, *et al.*:
L. C. GARRIGUS,
A. W. LAFFERTY,
MOULTON & SCHWARTZ,
Portland, Oregon.
DAY & BREWER,
Seattle, Wash.
A. C. WOODCOCK,
Eugene, Oregon.

For Appellee:
JAMES C. McREYNOLDS,
Attorney General.
CLARENCE L. REAMES,
U. S. Dist. Attorney for Oregon.
B. D. TOWNSEND,
F. C. RABB,
Special Assistants to the Attorney General.

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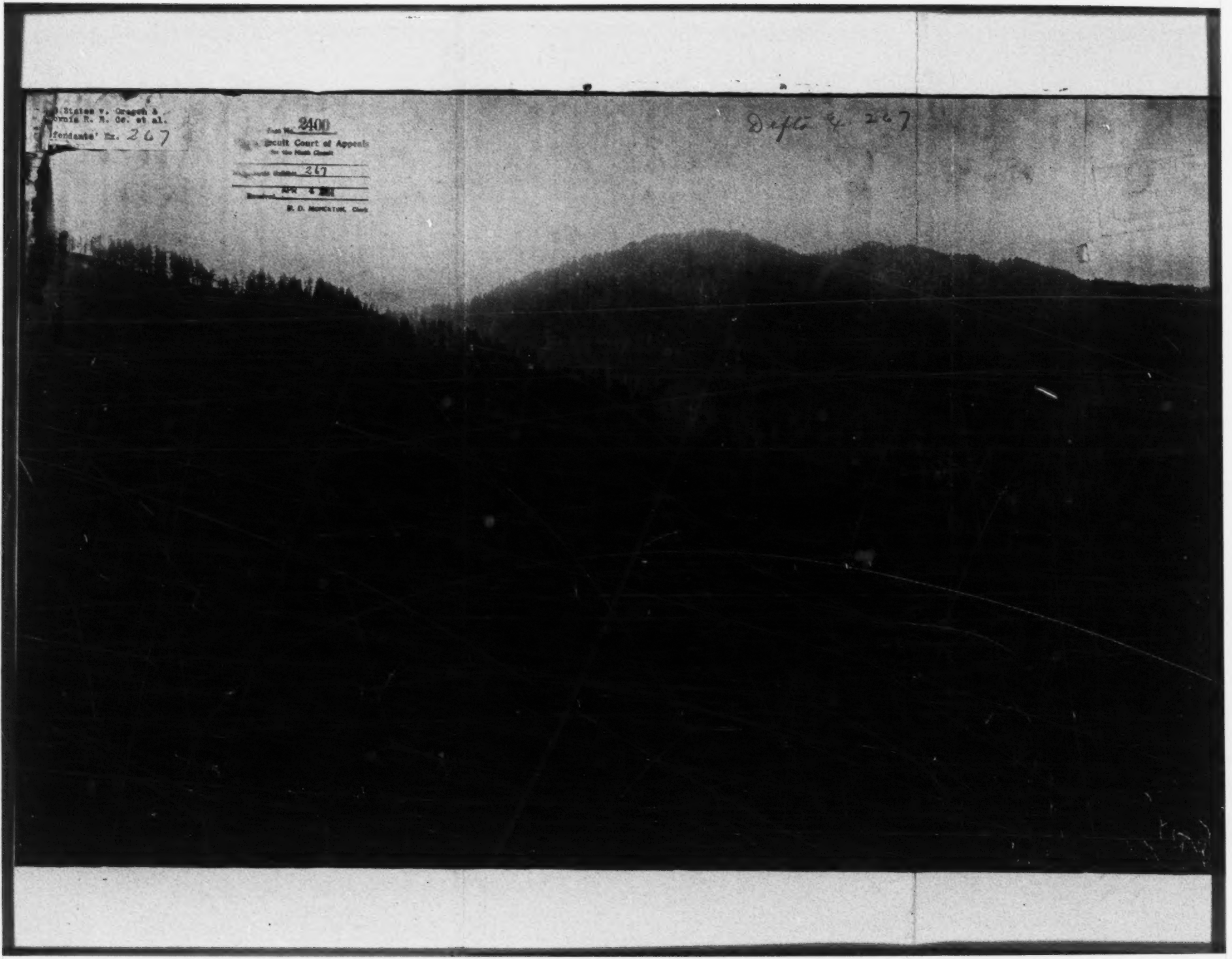
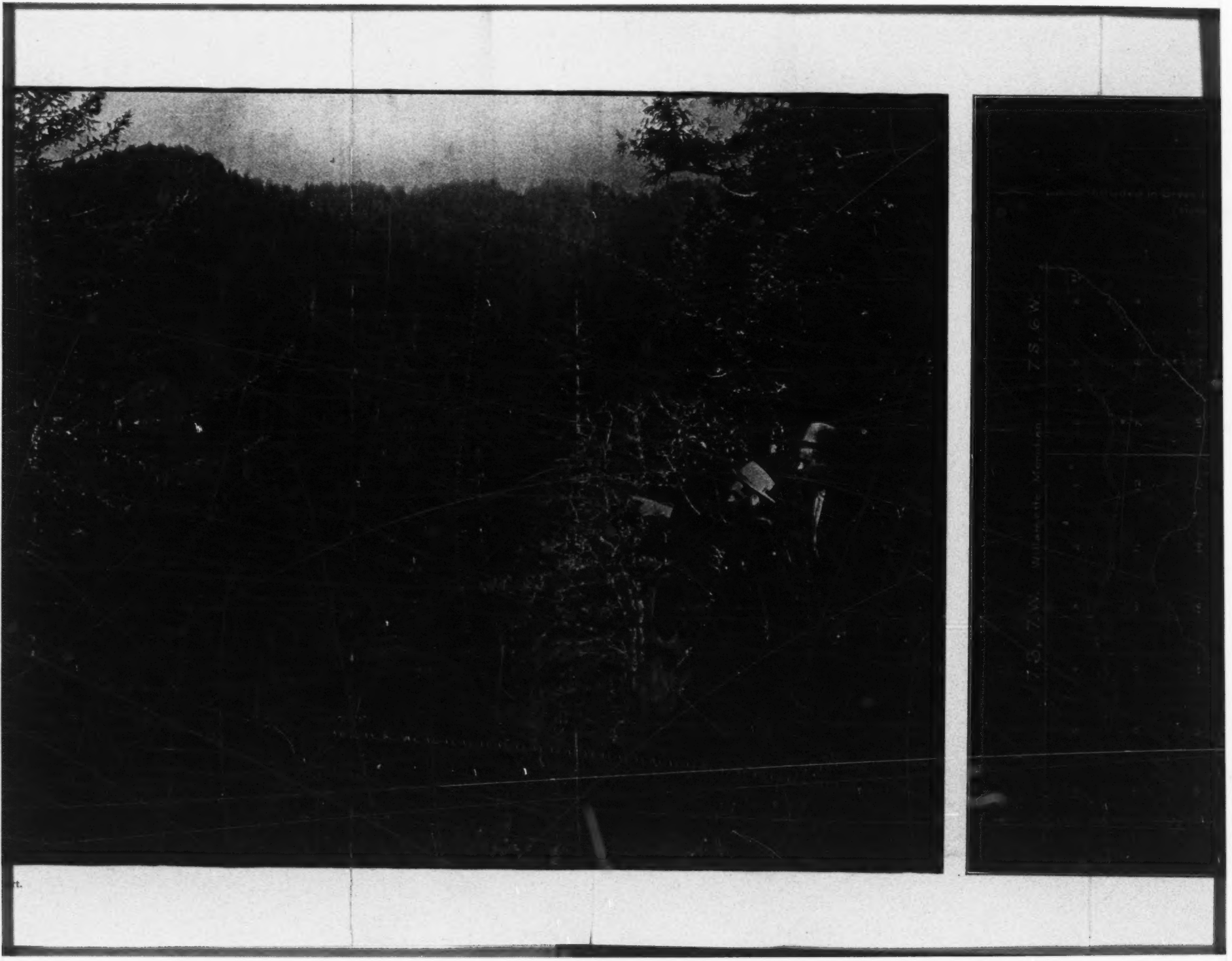

United States v. Oregon &
Nevada R. R. Co. et al.
Defendants' Ex. 267
2400
Circuit Court of Appeals
for the Ninth Circuit
Defts Ex 267
APR 6
R. D. MERCKTON, Clerk

DEFENDANTS' EXHIBIT 267

[Endorsed:] United States v. Oregon & California R. R. Co. et al. Defendants' Ex. 267. Filed May 10, 1913, A. M. Cannon, Clerk U. S. District Court. Case No. 2400. U. S. Circuit Court of Appeals for the Ninth Circuit. Defendants' Exhibit No. 267. Received Apr. 4, 1914. F. D. Monckton, Clerk.



DEFENDANTS' EXHIBIT 267 (Copy)

Portland, Oregon, February 22, 1908.

Mr. Charles W. Eberlein,
Acting Land Agent, O. & C. R. R. Company,
San Francisco, California.

Dear Sir:

We are sending you today, from The Dalles, Oregon, where the same have been completed by Mr. B. A. Gifford, photographer, two prints each of two views taken by Mr. Gifford, on February 20th, 1908, from a point in the South half of Section 8, Township 7 South, Range 6 West, showing, in so far as possible, view of Township 7 South, Range 7 West and western portion of Township 7 South, Range 6 West. These views show in a general way the character of the central portion of Township 7 South, Range 7 West, and include that part thereof covered in the affidavit of Mr. Homer D. Angell and Mr. B. A. Gifford, and tracing accompanying the same.

The tracing sent you herewith shows the point in the South Half of Section 8, Township 7 South, Range 6 West, on which the camera stood at the time the views were taken. The two views cover the same territory, the only difference being the land immediately adjacent to the point from which the views were taken, the hatched line on tracing showing land included in view No. 2 that was not included in view No. 1. The camera, in View No. 1, was so placed as to expose the negative pointing southeast and was gradually moved until it reached the direction of North 75° West, thus taking in an angle of 150 degrees. In view No. 2 the negative

STATE OF OREGON }
COUNTY OF MULTNOMAH } SS.

We, F. A. Elliott, of Newberg, Yamhill County, State of Oregon, by occupation timber estimator and land examiner, and Homer D. Angell, of Portland, Multnomah County, State of Oregon, being first duly sworn, depose and say:

That we are well acquainted with the character of the land in Township 7 South, Range 6 West, and Township 7 South, Range 7 West, and that Mr. F. A. Elliott, for himself, deposes and says that he has frequently been thereon and that he had charge of the cruising of these two townships during the summer of 1907;

And we further depose and say, that the attached tracing within the limits of the green lines, shows the scope of country included within the two views taken by Mr. B. A. Gifford, from a point within the South Half of Section 8, Township 7 South, Range 6 West, on the 20th day of February, 1908; that we were present when said views were taken, and that we are familiar with the territory covered by said views; that the said views cover in general the following lands in said townships:

In Township 7 South, Range 6 West: Section 18, and portions of Sections 7, 8, 16, 17, 21, 20, 19 and 30, and

In Township 7 South, Range 7 West: Sections 24, 16 and 17, and portions of Sections 13, 14, 15, 10, 9, 8, 7, 18, 19, 20, 21, 22, 23 and 25.

We further depose and say that the scope of territory described above as covered by said views and by tracing herewith, shows the general character of the township in regard to the timber there-

on; that the same is timbered in about the same proportion throughout the entire township of 7 South, Range 7 West; and that the scope covered in Township 7 South, Range 6 West, is the general average of the timber throughout the western portion of said Township 7 South, Range 6 West.

(Signed) F. A. ELLIOTT
(Seal). (Signed) HOMER D. ANGELL

Subscribed and sworn to before me this 21 day of February, A. D. 1908.

(Signed) FOREST S. FISHER
Notary Public for Oregon.

State of Oregon
County of Wasco } ss.

I, B. A. Gifford, of The Dalles, Wasco County, State of Oregon, being first duly sworn depose and say that I am by occupation a photographer; that on the 20th day of February, 1908, accompanied by Mr. F. A. Elliott, Mr. Homer D. Angell and Mr. L. D. McLeod, I went to a point in the South Half of Section 8, Township 7 South, Range 6 West, W.M., and from said point took two panoramic views of the surrounding country, copies of which said views are attached hereto; and that said views cover a distance of about eight miles westerly through the central portion of Township 7 South, Range 7 West, and also a portion of the western part of Township 7 South, Range 6 West; and I further depose and say upon observation of the ground and from information and belief, that the

attached views cover the following portions of Township 7 South, Range 6 West: Section 18, and portions of Sections 7, 8, 16, 17, 21, 20, 19 and 30; and on Township 7 South, Range 7 West: Sections 24, 16 and 17, and portions of Sections 13, 14, 15, 10, 9, 8, 7, 18, 19, 20, 21, 22, 23 and 25; and that the views show the general character of the country and timber in the entire locality covered in Township 7 South, Range 7 West, and the western part of Township 7 South, Range 6 West.

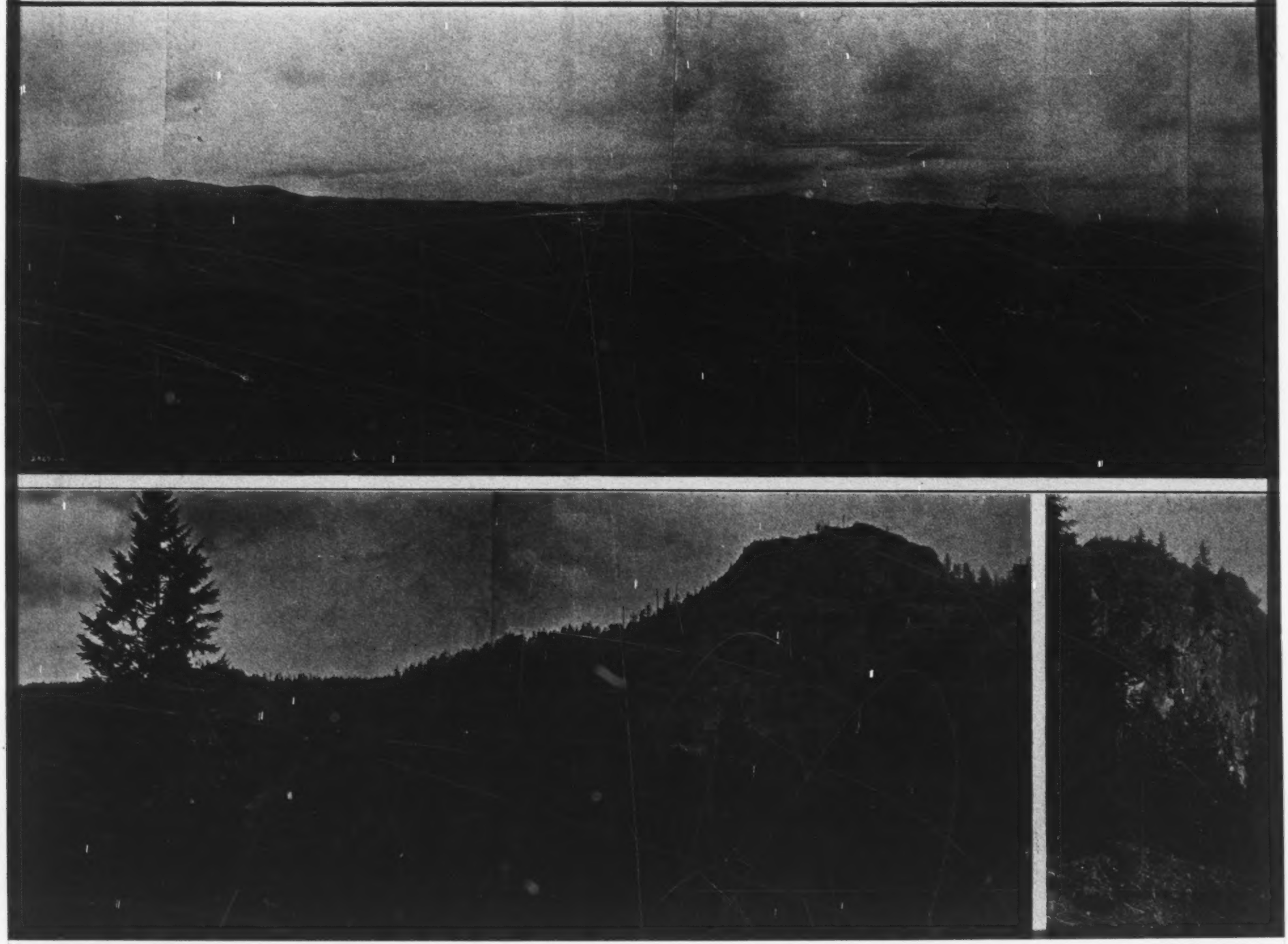
(Signed) B. A. GIFFORD

Subscribed and sworn to before me this 2nd day of February, A. D. 1908.

(Signed) HOMER D. ANGELL
(Seal) Notary Public for Oregon.

[Endorsed] Defts. Ex. 267. Filed May 10, 1913, A. M. Cannon, Clerk U. S. District Court.

DEFENDANTS' EXHIBIT 268

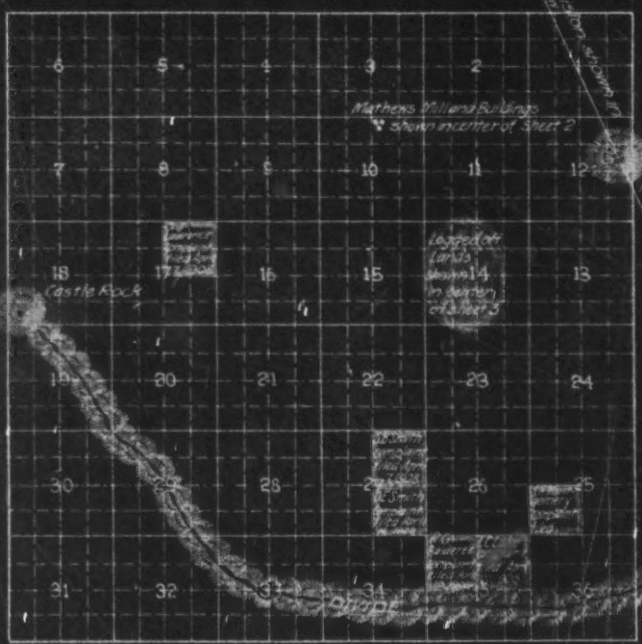


[Endorsed] United States v. Oregon & California R. R. Co. et al. Defts. Ex. 268. Filed May 10, 1913, A. M. Cannon, Clerk U. S. District Court. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 268. Received April 4, 1914. F. D. Monckton, Clerk.

PLAT SHOWING TERRITORY EMBRACED IN PHOTOGRAPHS

NUMBERED 2867-1TO4; 2868-1&2; AND 2869. SEE A.W. REES LETTER APRIL 15, 1912

T20S R.1W W.M.


Mathews Mill and Buildings shown in center of Sheet 2
Eagles Rest high point from which Photograph was taken April 3, 1912
Line of View for Photograph shown on Sheet 3
Logged off Land shown in darker on Sheet 3
Castle Rock
Mt June or Snow Peak shown in the photograph
Slope

SCALE 1 MILE = 1 INCH

No 5-7-12

Portland, Ore.,
April 15, 1912.

Mr. B. A. McAllaster,
Land Commissioner,
San Francisco, Cal.

Dear Sir:

I am sending you under separate cover two copies of panoramic view of Township 20 S Range 1 W, taken by Mr. Gifford from a point near the quarter post on E line of Sec. 12, April 3rd 1912. Also two copies of a smaller view (two prints) of the NE corner of Township and two copies of a small view of "Eagle Rest" from the top of which the panoramic view was taken. I also enclose plat upon which I have shown the point from which the photograph was taken, location of Matthews' Mill, the logged off area, Mt. June and the various tracts connected with the Lafferty suits.

The panoramic view shows a full half circle and takes in the greater part of Township as far south and west as the divide. Print One (to the right) shows a view looking north into the Willamette Valley. Print Two shows Matthews' Sawmill and buildings in the center of the print. The top of "Castle Rock" located in Section 19, can be seen above and to the left of the second fir tree. The SE¼ of Section 17 lies on the first ridge below the summit and near the left-hand side of print Two. The logged-off lands in center of print Three are in Section 14. Sections 25, 27 and 35 are well up on the summit of the mountain, and as nearly as I can tell, would be shown in print Four; possibly Section 27 is on print Three. The snow-covered peak at the left is Mount June. The East line

of the township is very near the foot of Mount June on the right-hand side.

There are no settlements in this township, except a few small ranches and a sawmill in the northern part of the township, and these are confined to the bottom lands along the creeks. One or two of the settlements are shown in the second section of the photograph.

This picture was taken upon a very cloudy day and the atmosphere was not clear; consequently it is not as good a view of the township as I had hoped to obtain. It would probably have been better to have taken the picture from some point farther south, so that a closer view of the southern part of the township could have been had; although it is difficult to get a view point on account of the density of the timber, in which there are no open points from which a view can be taken.

Mr. Gifford says he could not have gotten a better picture with the large camera, under same conditions, in fact, he does not think it would have shown up at a distance as distinctly as the smaller camera with which this picture was taken.

I have had three sets of these pictures printed, but am sending you only two sets at the present time. Will forward the others later if you desire them. Mr. Gifford's charge for the three sets of pictures are as follows:—

3 days' time at $5.00 per day.....	$15.00
7 negatives at 50c each	3.50
3 sets pictures (21 prints) at 50c each	10.50
Express charges on camera	.50
	$29.50

Will you please advise me whether such photographs will be satisfactory, or whether I shall have pictures in future taken with the large camera, which of course would cost a great deal more; not only for negatives and prints, but in field work as well, as the large camera weighs about 300 pounds, making it more difficult and expensive to handle in the mountains.

Yours truly,

(Signed) A. W. Rees

AWR/T Manager

CHART

TOO

LARGE

FOR

FILMING

DEFENDANTS' EXHIBIT 270

CONSISTS
OF 93 PHOTOGRAPHS
AS FOLLOWS:

1. View looking SE, of the cabin of Julius F. Frahl, on SW¼, Sec. 17, T. 4 N., R. 3 W., W.M., about 20 rods N. and 10 rods W. of location of Qr. corner on S line of Sec. 17.

Photograph by Fred H. McClure, Dec. 5, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 1. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-1. Received March 28, 1914. F. D. Monckton, Clerk.

2. View, looking SW., of cabin of Julius F. Prahl, on SW¼, Sec. 17, T. 4 N., R. 3 W., W.M., about 20 rods N. and 10 rods W. of location of Qr. corner on S. line of Sec. 17.

Photograph by Fred H. McClure, Dec. 5, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 2. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2. Received March 28, 1914. F. D. Monckton, Clerk.

3. View, looking N., of cabin of Julius F. Prahl, on SW¼, Sec. 17, T. 4 N., R. 3 W., W.M., about 20 rods N and 10 rods W. of location of Qr. corner on S line of Sec. 17.

Photograph by Fred H. McClure, Dec. 5, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 3. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-3. Received March 28, 1914. F. D. Monckton, Clerk.

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5. View, looking SE., of cabin of Jas. Barr, intended to be placed on E½ of NE¼ and E½ of SE¼, Sec. 9, T. 4 N., R. 3 W., W.M.

This cabin, according to line as paced by A. W. Rees and by Ben Irwin, is probably situated about 6 rods North and 5 rods West of the NW cor. of NE¼ of NE¼, said Sec., being on Sec. 8.

Photograph by Fred H. McClure, Dec. 6, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 5. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-5. Received March 28, 1914. F. D. Monckton, Clerk.

8. View, looking west, of the cabin of James Barr, intended to be placed on E½ of NE¼ and E½ of SE¼, Sec. 9, T. 4 N., R. 3 W., W.M., but probably on Sec. 8, per lines paced by Rees and by Irwin, 6 rods N. and 5 rods W. of NW. cor. of NE¼ of NE¼, Sec. 9.

Photograph by Fred H. McClure, Dec. 6, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 8. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-8. Received March 28, 1914. F. D. Monckton, Clerk.

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10. View, looking SW., of cabin of Joseph A. Maxwell, intended to be and probably situated on the NE¼, Sec. 27, T. 4 N., R. 3 W., W.M., about 3 rods N. and 2 rods E. of center of Sec. 27

Photograph by Fred H. McClure, Dec. 10, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 10. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-10. Received March 28, 1914. F. D. Monckton, Clerk.

16. View, looking SE., of cabin of F. S. Wiser, intended to be and probably located upon the NW¼, Sec. 27, T. 4 N., R. 3 W., W.M., about 10 rods N. and 1 rod W. of center of Sec. 27.

Photograph by Fred H. McClure, Dec. 10, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 16. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-16. Received March 28, 1914. F. D. Monckton, Clerk.

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19. View, looking N., of cabin of Fred Witte, on SW¼, Sec. 25, T. 4 N., R. 3 W., about 10 rods NE. of the SW. cor. of Sec. 25. This is a view of the front of said cabin.

Photograph by Fred H. McClure, Dec. 11, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 19. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-19. Received March 28, 1914. F. D. Monckton, Clerk.

ERTICAL IN BOOK

20. View, looking S., of the cabin of Fred Witte, on SW¼, Sec. 25, T. 4 N., R. 3 W., W.M., about 10 rods NE. of the SW. corner of said Sec.

Photograph by Fred H. McClure, Dec. 11, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 20. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-20. Received March 28, 1914. F. D. Monckton, Clerk.

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23. View, looking S., of front of cabin of Albert Arms, on NE¼, Sec. 35, T. 4 N., R. 3 W., W. M., about 30 rods S. and 5 rods W. of NE. cor. of said Section.

Photograph by Fred H. McClure, Dec. 11, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 23. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-23. Received March 28, 1914. F. D. Monckton, Clerk.

24. View, looking N., of rear of cabin of Albert Arms, on NE¼ Sec. 35, T. 4 N., R. 3 W., W. M., about 30 rods S. and 5 rods W. of NE. cor. of said Sec. 35.

Photograph by Fred H. McClure, Dec. 11, 1907.
(Signed) Ben Irwin.

[Endorsed] No. 24. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-24. Received March 28, 1914. F. D. Monckton, Clerk.

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26. View, looking SW., of cabin of W. A. Anderson, on SW¼, Sec. 5, T. 4 N., R. 3 W., W.M., about 15 chs. N. of Qr. cor. on S. line Sec. 5, and nearly on line through middle of section.

Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 26. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-26. Received March 28, 1914. F. D. Monckton, Clerk.

27. View, looking N., of cabin of W. A. Anderson, on SW¼, Sec. 5, T. 4 N., R. 3 W., W.M., about 15 chs. N. of Qr. cor. on S. line of and nearly on line through middle of Sec. 5.

Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 27. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-27. Received March 28, 1914. F. D. Monckton, Clerk.

29. View, looking S., of front of cabin of W. A. Anderson, on SW¼ Sec. 5, T. 4 N., R. 3 W., W.M., about 15 chs N. of Qr. Cor., and nearly on line through middle of Sec. 5.

Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 29. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-29. Received March 28, 1914. F. D. Monckton, Clerk.

30. View, looking NW., of cabin of W. H. Anderson, on NE¼, Sec. 5, T. 4 N., R. 3 W., W.M., about 5 chs. W., and 15 chs. S. of NE. cor. said Sec.

Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 30. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-30. Received March 28, 1914. F. D. Monckton, Clerk.

31. View, looking SW., of cabin of W. H. Anderson, on NE¼, Sec. 5, T. 4 N., R. 3 W., about 15 chs. S. and 5 chs. W. of NE. cor. said Sec.

Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 31. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-31. Received March 28, 1914. F. D. Monckton, Clerk.

33. View, looking S., of front of cabin of O. M. Anderson, on NW¼, Sec. 5, T. 4 N., R. 3 W., W.M., about 15 chs. E. and 15 S. of NW. cor. Sec. 5.

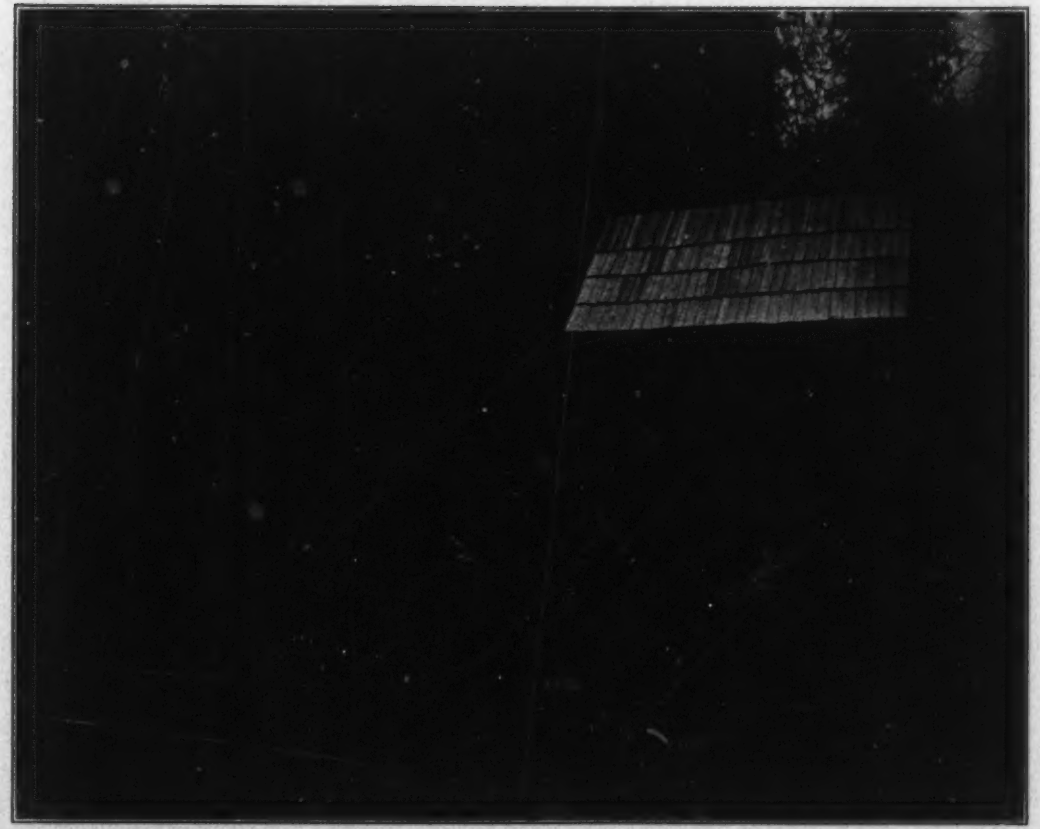
Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 33. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-33. Received March 28, 1914. F. D. Monckton, Clerk.

34. View, looking E., of cabin of O. M. Anderson, on NW¼, Sec. 5, T. 4 N., R. 3 W., W.M., about 15 chs. E., and 15 feet S. of NW. cor. Sec. 5.

Photograph by Fred H. McClure, Jan. 29, 1908.

[Endorsed] No. 34. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-34. Received March 28, 1914. F. D. Monckton, Clerk.



38. Frank Williams, NW¼-21-4 N., 3 W., looking S.

Photograph by Fred H. McClure, Feb. 15, 1908.

[Endorsed] No. 38. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-38. Received March 28, 1914. F. D. Monckton, Clerk.

39. Frank Williams, NW¼-21-4 N., 3 W., looking NW.

Photograph by Fred H. McClure, Feb. 15, 1908.

[Endorsed] No. 39. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-39. Received March 28, 1914. F. D. Monckton, Clerk.

41. Paul Birkenfield, SE¼-15-4 N., 3 W., looking N.

Photograph by Fred H. McClure, Feb. 15, 1907.

[Endorsed] No. 41. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-41. Received March 28, 1914. F. D. Monckton, Clerk.

42. Paul Birkenfield, SE¼-15-4 N., 3 W., looking W.

Photograph by Fred H. McClure, Feb. 15, 1907.

[Endorsed] No. 42. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-42. Received March 28, 1914. F. D. Monckton, Clerk.

44. Jess Lewis, W½ of E½-9-4 N., 3 W., looking N. 30° E.

Photograph by Fred H. McClure, Feb. 14, 1908.

[Endorsed] No. 44. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-44. Received March 28, 1914. F. D. Monckton, Clerk.

45. Jess Lewis, W½ of E½-9-4 N., 3 W., looking N. 10° W.

Photograph by Fred H. McClure, Feb. 14-16, 1908.

[Endorsed] No. 45. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-45. Received March 28, 1914. F. D. Monckton, Clerk.

47. E. C. Lake, NE¼ Sec. 35-T. 20 S., R. 1 W., Look. S. W.

Photograph by Fred H. McClure, May 13, 1908.

[Endorsed] No. 47. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-47. Received March 28, 1914. F. D. Monckton, Clerk.

49. R. G. Balderree, NW¼ Sec. 35, T. 20 S., R. 1 W., Look. S. W.

Photograph by Fred H. McClure, May 13, 1908.

[Endorsed] No. 49. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-49. Received March 28, 1914. F. D. Monckton, Clerk.

50. Sidney Ben Smith, NE¼ Sec. 27-T. 20 S., R. 1 W., Look. N. W.

Photograph by Fred H. McClure, May 14, 1907.

[Endorsed] No. 50. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-50. Received March 28, 1914. F. D. Monckton, Clerk.

52. O. E. Smith, SE¼ Sec. 27, T. 20 S., R. 1 W., Look. E.

Photograph by Fred H. McClure, May 14, 1908.

[Endorsed] No. 52. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-52. Received March 28, 1914. F. D. Monckton, Clerk.

54. O. J. Lawrence, NE¼ Sec. 17, T. 20 S., R. 1 W. Look. N.

Photograph by Fred H. McClure, May 15, 1908.

[Endorsed] No. 54. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-54. Received March 28, 1914. F. D. Monckton, Clerk.

55. O. J. Lawrence, NE¼ Sec. 17, T. 20 S., R. 1 W. Looking NE.

Photograph by Fred H. McClure, May 15, 1908.

[Endorsed] No. 55. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-55. Received March 28, 1914. F. D. Monckton, Clerk.

62. Enos Fluhrer, SE¼ Sec. 31-5 N. 2 W., Look. S. W.

Photograph by Fred H. McClure, Sept. 28, 1908.

[Endorsed] No. 62. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-62. Received March 28, 1914. F. D. Monckton, Clerk.

63. Enos Fluhrer, SE¼ Sec. 31-5 N., 2 W., Look. S. E.

Photograph by Fred H. McClure, Sept. 28, 1908.

[Endorsed] No. 63. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-63. Received March 28, 1914. F. D. Monckton, Clerk.

65. S. Shryock, SW¼ Sec. 21-4 N., 3 W., Look. W.

Photograph by Fred H. McClure, Sept 29, 1908.

[Endorsed] No. 65. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-65. Received March 28, 1914. F. D. Monckton, Clerk.

66. S. Shryock, SW¼ Sec. 21-4 N., 3 W., Look. S.

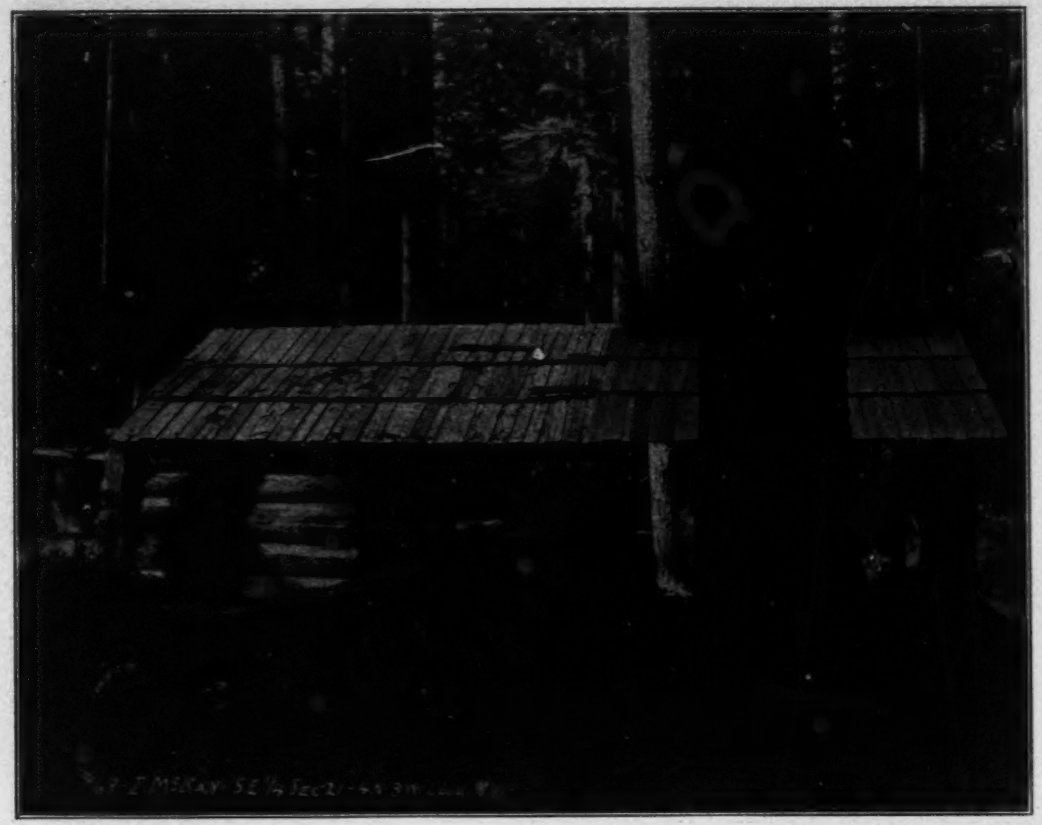
Photograph by Fred H. McClure, Sept. 29, 1908.

[Endorsed] No. 66. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-66. Received March 28, 1914. F. D. Monckton, Clerk.

69. I. McKay, SE¼ Sec. 21-4 N., 3 W., Look. NW.

Photograph by Fred H. McClure, Sept. 29, 1908.

[Endorsed] No. 69. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-69. Received March 28, 1914. F. D. Monckton, Clerk.



70. I. McKay, SE¼, Sec. 21-4 N., 3 W., Look. S. 10° E.

Photograph by Fred H. McClure, Sept. 29, 1908.

[Endorsed] No. 70. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-70. Received March 28, 1914. F. D. Monckton, Clerk.

72. J. R. Peterson, NE¼ Sec. 21-4 N., 3 W., Look. SE.

Photograph by Fred H. McClure, Sept. 29, 1908.

[Endorsed] No. 72. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-72. Received March 28, 1914. F. D. Monckton, Clerk.

73. J. R. Peterson, NE¼ Sec. 21-4 N., 3 W., Look. S.

Photograph by Fred H. McClure, Sept. 29, 1908.

[Endorsed] No. 73. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-73. Received March 28, 1914. F. D. Monckton, Clerk.

74. Fred Floeter, NE¼-19-4 N., 3 W., Look. N.

Photograph by Fred H. McClure, Sept. 30, 1908.

[Endorsed] No. 74. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-74. Received March 28, 1914. F. D. Monckton, Clerk.

75. Fred Floeter, NE¼ Sec. 19, 4 N., 3 W., Look. S.

Photograph by Fred H. McClure, Sept. 30, 1908.

[Endorsed] No. 75. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-75. Received March 28, 1914. F. D. Monckton, Clerk.

77. V. V. MacAboy, NE¼ Sec. 7-4 N., 3 W., Look. S. E.

Photograph by Fred H. McClure, Oct. 1, 1908.

[Endorsed] No. 77. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-77. Received March 28, 1914. F. D. Monckton, Clerk.

78. V. V. MacAboy, NE¼ Sec. 7-4 N., 3 W., Look. S. W.

Photograph by Fred H. McClure, Oct. 1, 1908.

[Endorsed] No. 78. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-78. Received March 28, 1914. F. D. Monckton, Clerk.

80. E. L. MacLafferty, NE¼ Sec. 1-3 N., 3 W., Look. N. E.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 80. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-80. Received March 28, 1914. F. D. Monckton, Clerk.

81. E. L. MacLafferty, NE¼ Sec. 1-3 N., 3 W., Look. E.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 81. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-81. Received March 28, 1914. F. D. Monckton, Clerk.

82. Geo. E. MacLafferty, NE¼ Sec. 1-3 N., 3 W., Look. W.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 82. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-82. Received March 28, 1914. F. D. Monckton, Clerk.

83. Geo. E. MacLafferty, NE¼ Sec. 1-3 N., 3 W., Look. E.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 83. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-83. Received March 28, 1914. F. D. Monckton, Clerk.

85. B. N. MacLafferty, SE¼ Sec. 1, 3 N., 3 W., Look. N. W.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 85. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-85. Received March 28, 1914. F. D. Monckton, Clerk.

86. B. N. MacLafferty, SE¼ Sec. 1-3 N., 3 W., Look. N. E.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 86. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-86. Received March 28, 1914. F. D. Monckton, Clerk.

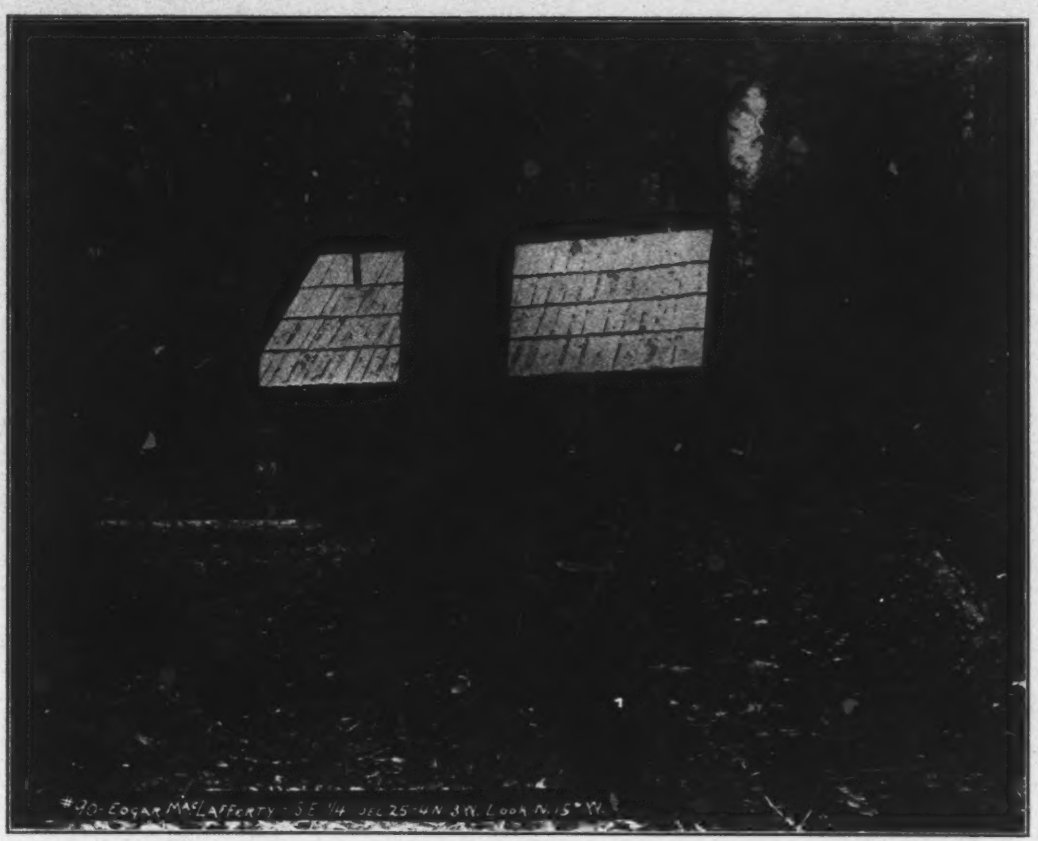
88. NE¼ Sec. 2-3 N., 3 W., Looking N. W.

[Endorsed] No. 88. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-88. Received March 28, 1914. F. D. Monckton, Clerk.

89. Edgar MacLaffer-ty, SE¼ Sec. 25-4 N., 3 W., Look. S. 55° E.

Photograph by Fred H. McClure, Oct. 4, 1908.

[Endorsed] No. 89. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-89. Received March 28, 1914. F. D. Monckton, Clerk.



90. Edgar MacLafferty, SE¼ Sec. 25—4 N., 3 W., Look. N. 15° W.

Photograph by Fred H. McClure, Oct. 4, 1908.

[Endorsed] No. 90. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-90. Received March 28, 1914. F. D. Monckton, Clerk.

91. D. MacLafferty, NE¼ Sec. 25-4 N., 3 W., Look. East.

Photograph by Fred H. McClure, Oct. 4, 1908.

[Endorsed] No. 91. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-91. Received March 28, 1914. F. D. Monckton, Clerk.

92. D. MacLafferty, NE¼ Sec. 25-4 N., 3 W., Looking N. E.

Photograph by Fred H. McClure, Oct. 4, 1908.

[Endorsed] No. 92. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-92. Received March 28, 1914. F. D. Monckton, Clerk.

93. Geo. C. MacLafferty, NW¼ D 25-4 N., 3 W., Looking SW.

Photograph by Fred H. McClure, Oct. 31, 1908.

[Endorsed] No. 93. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-93. Received March 28, 1914. F. D. Monckton, Clerk.

94. Geo. C. MacLafferty, NW¼ Sec. 25-4 N., 3 W., Looking W.

Photograph by Fred H. McClure, Oct. 3, 1908.

[Endorsed] No. 94. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-94. Received March 28, 1914. F. D. Monckton, Clerk.

No. 96. NE¼ Sec. 10-3 N., 3 W., Look. W.

[Endorsed] No. 96. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-96 Received March 28, 1914. F. D. Monckton, Clerk.

97. C. W. Mead, SE¼-3-1 S. 5 E., Looking N. W.

Photograph by Fred H. McClure, Nov. 10, 1908.

[Endorsed] No. 97. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-97. Received March 28, 1914. F. D. Monckton, Clerk.

98. C. W. Mead, SE¼-3-1 S., 5 E., Looking N. E.

Photograph by Fred H. McClure, Nov. 10, 1908.

[Endorsed] No. 98. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-98. Received March 28, 1914. F. D. Monckton, Clerk.

100. Jno. H. Haggett, NW¼-11-1 S. 5 E., Look. S. 60° E.

Photograph by Fred H. McClure, Nov. 10, 1908.

[Endorsed] No. 100. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-100. Received March 28, 1914. F. D. Monckton, Clerk.

101. Jno. H. Haggett, NW¼-11-1 S., 5 E., Look. N.

Photograph by Fred H. McClure, No. 10, 1908.

[Endorsed] No. 101. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-101. Received March 28, 1914. F. D. Monckton, Clerk.

103. Wm. Otterstrom, SW¼-11-1 S. 5 E., Look. E.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 103. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-103. Received March 28, 1914. F. D. Monckton, Clerk.

104. Wm. Otterstrom, SW¼-11-1 S., 5 E., Look. N.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 104. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-104. Received March 28, 1914. F. D. Monckton, Clerk.

106. Jno. F. Moan, NW¼-15-1 S., 5 E., Look. S. W.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 106. Defts. Ex 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-106. Received March 28, 1914. F. D. Monckton, Clerk.

108. Angus MacDonald, NE¼-15-1 S., 5 E., Look. S. E.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 108. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-108. Received March 28, 1914. F. D. Monckton, Clerk.

109. Angus MacDonald, NE¼-15-1 S., 5 E., Look. N. 10° W.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 109. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-109. Received March 28, 1914. F. D. Monckton, Clerk.

111. R. T. Aldrich, NE¼-13-1 S., 5 E., Look. S. E.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 111. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-111. Received March 28, 1914. F. D. Monckton, Clerk.

112. R. T. Aldrich, NE¼-13-1 S., 5 E., Look. N. W.

Photograph by Fred H. McClure, Nov. 11, 1908.

[Endorsed] No. 112. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-112. Received March 28, 1914. F. D. Monckton, Clerk.

114. Fred L. Freebing, NW¼-1-1 S., 5 E., Look. N. W.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 114. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-114. Received March 28, 1914. F. D. Monckton, Clerk.

115. Fred L. Freebing, NW¼-1-1 S., 5 E., Look. E.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 115. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-115. Received March 28, 1914. F. D. Monckton, Clerk.

117. Wm. Cain, NE¼-1-1 S., 5 E., Look. S. 50° W.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 117. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-117. Received March 28, 1914. F. D. Monckton, Clerk.

118. Wm. Cain, NE¼-1-1 S., 5 E., Look. N. E.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 118. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-118. Received March 28, 1914. F. D. Monckton, Clerk.

120. Henry C. Ott, NW¼-7-1 S., 6 E., Look. E.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 120. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-120. Received March 28, 1914. F. D. Monckton, Clerk.

121. Henry C. Ott, NW¼-7-1 S., 6 E., Look. S. W.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 121. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-121. Received March 28, 1914. F. D. Monckton, Clerk.

123. J. D. Hadley, NE¼-7-1 S., 6 E., Look. S. 10° W.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 123. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-123. Received March 28, 1914. F. D. Monckton, Clerk.

124. J. D. Hadley, NE¼-7-1 S., 6 E., Look. S. E.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 124. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-124. Received March 28, 1914. F. D. Monckton, Clerk.

126 Jas. C. O'Neill, SE¼-5-1 S., 6 E., Look. S. 10° E.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 126. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-126. Received March 28, 1914. F. D. Monckton, Clerk.

127. Jas. C. O'Neill, SE¼-5-1 S., 6 E., Look. N. 60° E.

Photograph by Fred H. McClure, Nov. 12, 1908.

[Endorsed] No. 127. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-127. Received March 28, 1914. F. D. Monckton, Clerk.

2944. J. H. Lewis cabin on W½ of E½ Section 9, T. 4 N., R. 3 W. (patented Oct. 9, 1895) Settlers' suit filed Feb. 6, 1908. This picture shows that some additional buildings have been erected since the former photograph was taken by McClure on Feb. 14, 1908. No clearing has been made and the premises are not occupied.

(See letter A. W. Rees, June 28, 1912. File 464)

[Endorsed] No. 2944. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2944. Received March 28, 1914. F. D. Monckton, Clerk.

2945. James Barr cabin on E½ of E½ Section 9, T. 4 N., R. 3 W. (patented Oct. 9, 1895). This is O & C Co. land upon which Barr filed settlers' suit November 27, 1908. The cabin has never been occupied permanently.

(See letter A. W. Rees, June 28, 1912. File 464)

[Endorsed] No. 2945. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2945. Received March 28, 1914. F. D. Monckton, Clerk.

2946. Timber view in NW¼ Section 9, T. 4 N., R. 3 W. (Patented Oct. 9, 1895)

(See letter A. W. Rees, June 28, 1912—File 464)

[Endorsed] No. 2946. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2946. Received March 28, 1914. F. D. Monckton, Clerk.

2948. Cabin built on the SW¼ of Section 9, T 4 N., R. 3 W., by M. F. Dennis in 1907 (Patented Oct. 9, 1895). The cabin is not occupied. Carter and Dennis built cabins on this land about the time the so-called Lafferty Suits were being filed, but have never occupied the premises permanently, and I do not know their present whereabouts.

(See letter A. W. Rees, June 28, 1912—File 464)

[Endorsed] No. 2948. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2948. Received March 23, 1914. F. D. Monckton, Clerk.

2950. Timber view of NW¼ Section 9, T. 4 N., R. 3 W. (Patented Oct. 9, 1895)

(See letter A. W. Rees, June 28, 1912—File 464)

[Endorsed] No. 2950. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2950. Received March 28, 1914. F. D. Monckton, Clerk.

2951. Timber view of NW¼ NE¼ Section 9, T. 4 N., R. 3 W. (Patented Oct. 9, 1895) showing exceptionally heavy stand of timber.

(See letter A. W. Rees June 28, 1912—File 464.)

[Endorsed] No. 2951. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2951. Received March 28, 1914. F. D. Monckton, Clerk.

2952. Cabin built by Frank Carter in 1907 upon the NW¼ of Section 9, T. 4 N., R. 3 W. (Patented Oct. 9, 1895). Carter claimed to be an actual settler, but never occupied the premises as a permanent home.

(See letter A. W. Rees June 28, 1912—File 464.)

[Endorsed] No. 2952. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2952. Received March 28, 1914. F. D. Monckton, Clerk.

1. This is a picture of the front view of John L. Snyder's cabin, on SE¼ of Section 17, Township 4 North, Range 3 West. The view is taken looking northwest.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

[Endorsed] No. 1. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-1. Received March 28, 1914. F. D. Monckton, Clerk.

2. This is a picture of John L. Snyder's cabin on the Southeast Quarter of Section 17, Township 4 North, Range 3 West. The notice of Snyder's entry may be seen tacked on the side of cabin. The view is taken looking northeast. This picture, taken together with No. 3, shows all four sides and all the roof of Snyder's cabin, and shows that there is no window or other means of admitting light into the cabin.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

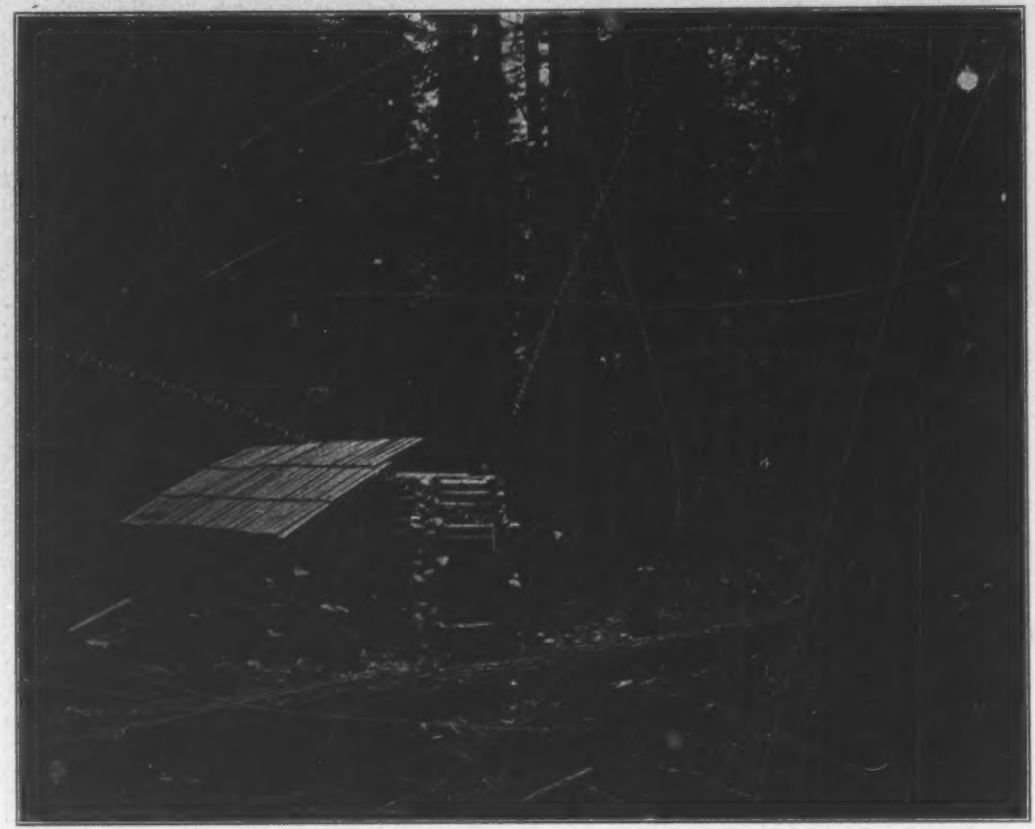
[Endorsed] No. 2. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-2. Received March 28, 1914. F. D. Monckton, Clerk.

3. This is a view of the rear of John L. Snyder's cabin on the SE¼ of Section 17, Township 4 North, Range 3 West. It also shows the depredations committed by Snyder and shows also the only clearing that has been done by him. It also shows a very heavy stand of timber upon the land. View is taken looking southwest.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

[Endorsed] No. 3. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-3. Received March 28, 1914. F. D. Monckton, Clerk.



4. This is a view of the timber upon the southeast corner of the SE¼ of Section 17, Township 4 North, Range 3 West. The man appearing in the picture is standing at the southeast corner of Section 17. The cabin appearing through the timber in the distance is that of John L. Snyder. The view is taken looking northwest.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

[Endorsed] No. 4. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-4. Received March 28, 1914. F. D. Monckton, Clerk.

6. This picture was taken on the southeast corner of the SE¼ of Section 17, Township 4 North, Range 3 West. The view was taken looking northeasterly. The size of the timber may be judged by comparison with the man standing near the large tree in the center.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

[Endorsed] No. 6. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-6. Received March 28, 1914. F. D. Monckton, Clerk.

7. This is a view taken on the northeast corner of the SE¼ of Section 17, Township 4 North, Range 3 West. The land in this vicinity is very rough but the picture has failed to bring out this feature of the topography. The view was taken looking northwest.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

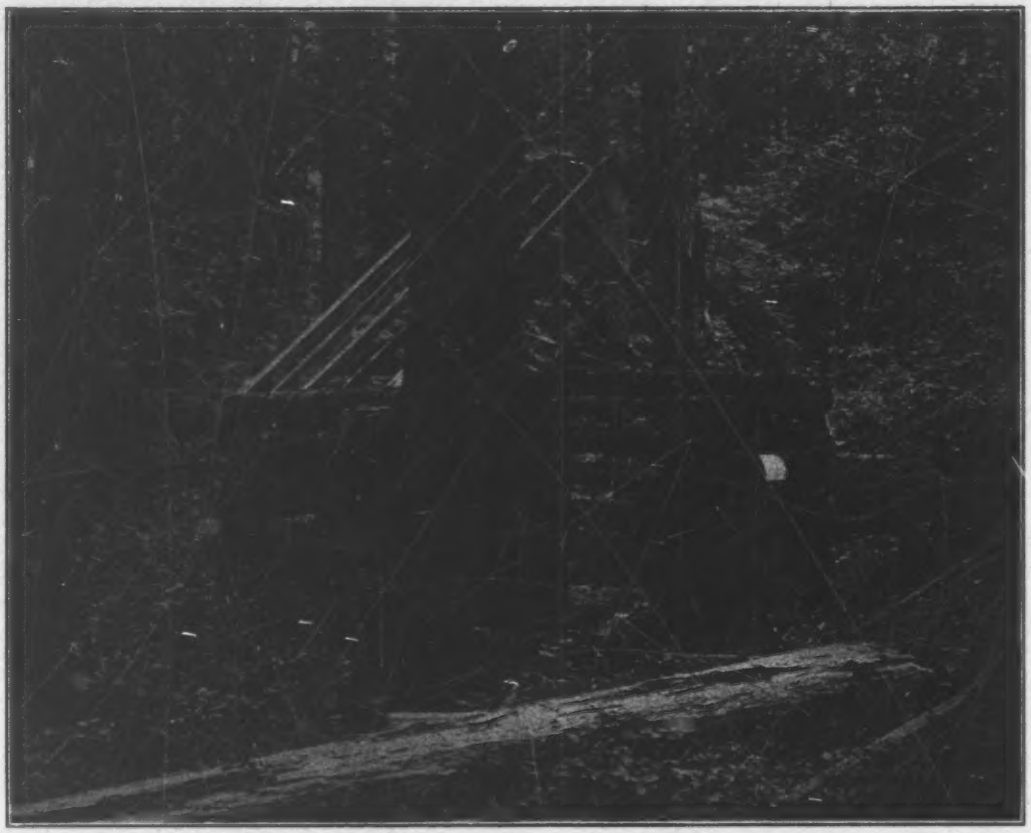
[Endorsed] No. 7. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-7. Received March 28, 1914. F. D. Monckton, Clerk.

8. This is a picture of cabin erected by J. W. Barker on the NW¼ of NE¼, Section 9, Township 4 North, Range 3 West. Barker has notice posted upon the cabin that he is an "actual settler" and is taking the tract of land under the Act of Congress of April 10, 1869. The cabin is situated 5 chains East of the one-fourth section corner between Sections 8 and 9, the view looking south.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

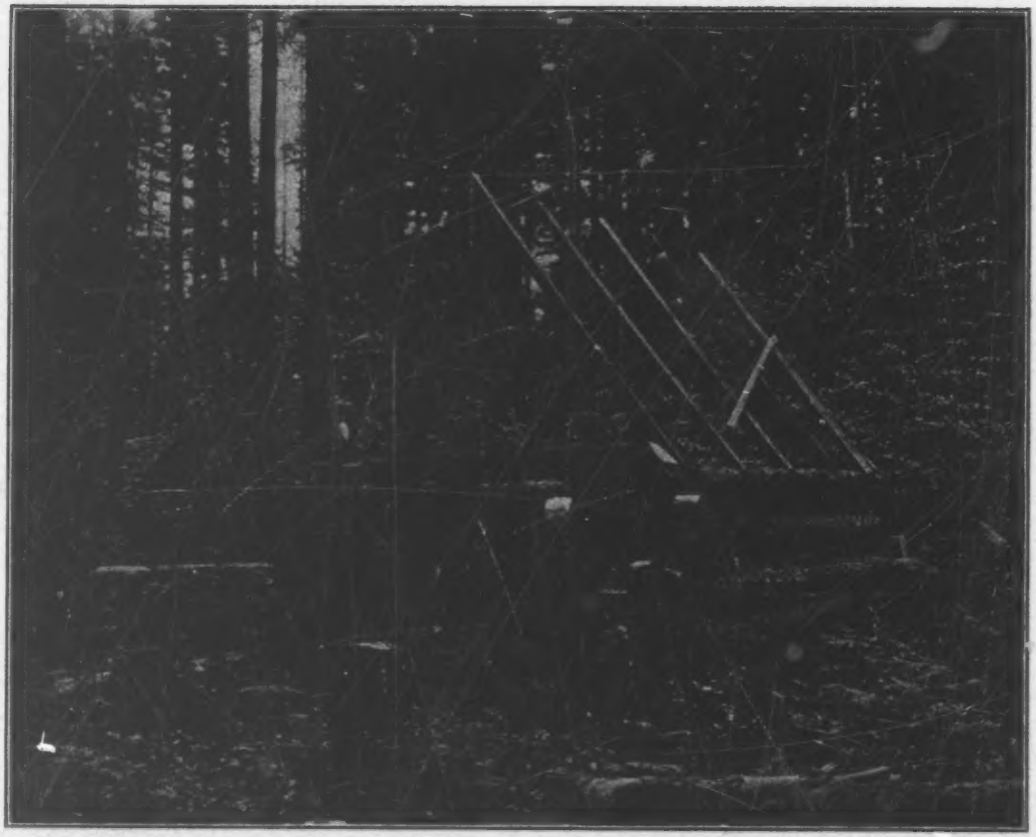
[Endorsed] No. 8. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-8. Received March 28, 1914. F. D. Monckton, Clerk.



9. This is a picture of cabin erected by W. M. Ross on the SW¼ of Section 9, Township 4 North, Range 3 West. Ross has notice posted upon the cabin that he is an "actual settler" and is taking the tract of land under the Act of Congress of April 10, 1869. The cabin is situated 3 chains south of one-fourth post, the view looking southeast.

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.



[Endorsed] No. 9. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-9. Received March 28, 1914. F. D. Monckton, Clerk.

10. This is a picture of cabin erected by Ezra Booth on the NW¼ of Section 21, Township 4 North, Range 3 West. Booth has notice posted upon the cabin that he is an "actual settler" and is taking the tract of land under Act of Congress of April 10, 1869. The cabin is 14x16 ft., inside measurement, 7 ft. eaves and 10 ft. gable. It is built of split cedar and is not battened nor chinked. There is no shutter to door opening. The floor is of dirt. There is nothing in the cabin and it has not been occupied. The cabin is situated 50 feet east and 20 feet south of corner, the view looking southeast.

The following trees have been cut and the material used in construction of cabin:

1 cedar	7 in.	20 linear ft..	$ .50
2 "	9 "	60 " " ..	1.50
1 "	11 "	30 " " ..	.75
1 "	14 "	50 " " ..	1.25
2 "	18 "	480 B. M. ft..	7.20
1 "	24 "	700 B. M. ft..	10.50
			$21.70

This picture was taken by Fred H. McClure, September 25, 1907.

(Signed) Homer D. Angell.

[Endorsed] No. 10. Defts. Ex. 270. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 270-10. Received March 28, 1914. F. D. Monckton, Clerk.

DEFENDANTS' EXHIBIT 273

CONSISTS
OF 84 PHOTOGRAPHS
NUMBERED FOR CONVENIENCE
AS FOLLOWS:

1. On the back of this picture appears the following: SW¼ of Sec. 24, T. 10 S., R. 1 E. Showing abandoned cabin and field grown up to weeds and brush.

[Endorsed] No. 1. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-1. Received March 28, 1914. F. D. Monckton, Clerk.

2. On the back of this picture appears the following: NE¼ Sec. 14. T. 11 S., R. 1 E. Looking north ¼ mile west of quarter post on east line.

[Endorsed] No. 2. Detts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-2. Received March 28, 1914. F. D. Monckton, Clerk.

3. On the back of this picture appears the following: NE¼ Sec. 14, T. 11 S., R. 1 E. Looking NW. Showing location of improvements—cabin tumbled down. NE ¼ Sec. 14—11 S R 1 E Taken from ¼ corner Btw. 13-14 Looking North. Showing improvements. (2) Views—one showing timber.

[Endorsed] No. 3. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-3. Received March 28, 1914. F. D. Monckton, Clerk.

4. On the back of this picture appears the following: Cabin on SW corner of Sec. 25, T. 4 N., R. 3 W. Built by Fred Witte, 1907. Suit filed 12/2/07. Not occupied May 1912.

[Endorsed] No. 4. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-4. Received March 28, 1914. F. D. Monckton, Clerk.

5. On the back of this pitcure appears the following: Taken at Secs. corners 25, 26, 35, & 36, T. 4 N., R. 3 W., look from the West to N.E.

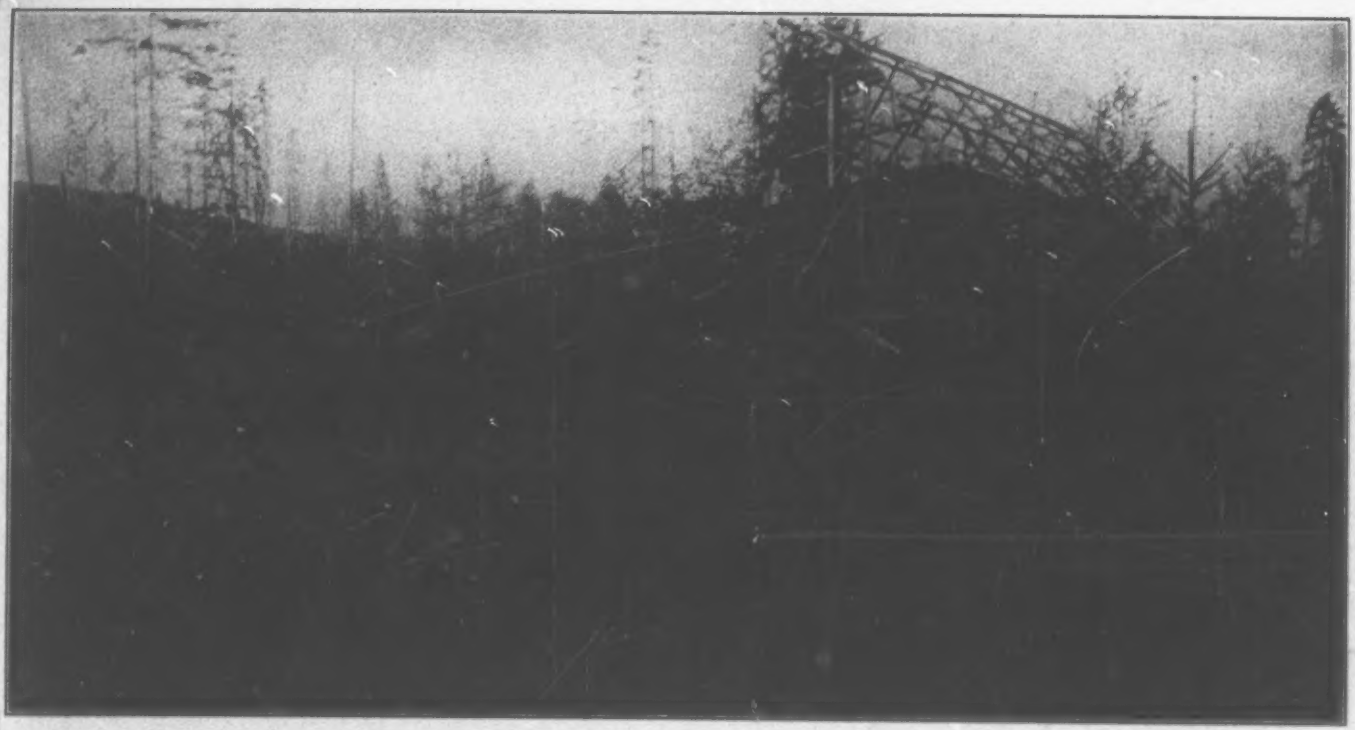
[Endorsed] No. 5. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-5. Received March 28, 1914. F. D. Monckton, Clerk.

6. On the back of this picture appears the following: NW¼ Sec. 8, 4 N. 3 W., look. N & NW, Homestead cabin.

[Endorsed] No. 6. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-6. Received March 28, 1914. F. D. Monckton, Clerk.

7. On the back of this picture appears the following: Timber view NW¼ Sec. 21, T. 4 N., R. 3 W.

[Endorsed] No. 7. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-7. Received March 28, 1914. F. D. Monckton, Clerk.



8. On the back of this picture appears the following: SE¼ Sec. 24, T. 4 N., R. 3 W., all logged off. Showing homesteader's cabin.

[Endorsed] No. 8. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-8. Received March 28, 1914. F. D. Monckton, Clerk.

9. On the back of this picture appears the following: Sec. 4, NW¼, 4 N., 3 W. Taken from SW¼ looking N & NW. Homestead cabin.

[Endorsed] No. 9. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-9. Received March 28, 1914. F. D. Monckton, Clerk.

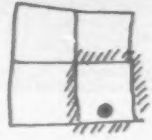
10. On the back of this picture appears the following. Center of Northwest quarter Sec. 20, T. 4 North, R. 3 W. Looking North.

[Endorsed] No. 10. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-10. Received March 28, 1914. F. D. Monckton, Clerk.

11. On the back of this picture appears the following: NW¼ Sec. 18, T. 10 S., R. 4 E. Looking Northwest. Showing remains of improvements.

[Endorsed] No. 11. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-11. Received March 28, 1914. F. D. Monckton, Clerk.

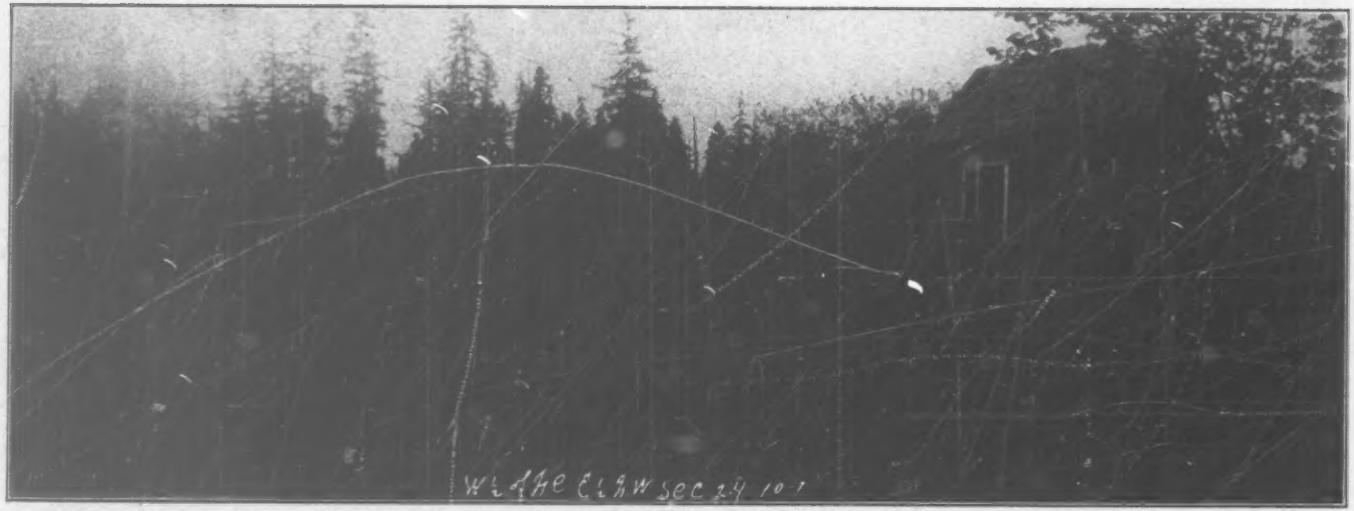
12. On the back of this picture appears the following: "C" SE¼ Sec. 20, 7 S. 7 W. Hd. of Robt. B. Hansen. Filed 7/3/00. Pat. 1/23/02. Taken Mch. 29, 1912, by C. W. Kempton. Looking North. Kempton's Report: Not occupied—no improvements (burnt down)—no cultivation—no clearing—entry made for timber values.



[Endorsed] No. 12. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-12. Received March 28, 1914. F. D. Monckton, Clerk.

13. On the back of this picture appears the following: SE¼ Sec. 12, 11 S. 1 E.

[Endorsed] No. 13. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-13. Received March 28, 1914. F. D. Monckton, Clerk.



14. On the back of this picture appears the following: SE¼ Sec. 30, 10 S., R. 1 E. (2) views, one of clearing, one in timber.

[Endorsed] No. 14. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-14. Received March 28, 1914. F. D. Monckton, Clerk.

2400

15. On the back of this picture appears the following: NW¼ Sec. 4, T. 11 S., R. 1 E. Looking NW. Showing abandoned cabin and field.

[Endorsed] No. 15. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-15. Received March 28, 1914. F. D. Monckton, Clerk.

16. On the back of this picture appears the following: High ridge. and 21. View taken March 29, 1912, by C. W. Kempton field examiner acter of 7 S. 7 W. Note the Robt. B. Hansen homestead will cover (Approximate)

20 | 21
29 | 28

Looking North bet. Secs. 20 O&C RR. Co. Showing char- the lands marked on photo.

[Endorsed] No. 16. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-16. Received March 28, 1914. F. D. Monckton, Clerk.

17. On the back of this picture appears the following: Photo by C. W. Kempton 5/7/12. SE¼ Sec. 26, 4 S. R. 5 E. Looking Southeast. No improvements except pile of stones which appear to have been used as temporary fire place.

[Endorsed] No. 17. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-17. Received March 28, 1914. F. D. Monckton, Clerk.

18. On the back of this picture appears the following: W½ of E½ Sec. 9, T. 4 N., R. 3 W. Lewis claim O&C lands. Not occupied.

[Endorsed] No. 18. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-18. Received March 28, 1914. F. D. Monckton, Clerk.

19. On the back of this picture appears the following: East Line Sec. 20, T. 4 North, Range 3 W. Looking North.

[Endorsed] No. 19. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-19. Received March 28, 1914. F. D. Monckton, Clerk.

20. On the back of this picture appears the following: No. ¼ Sec. 8, T. 4 N., R. 3 W. Looking NW. Showing timber.

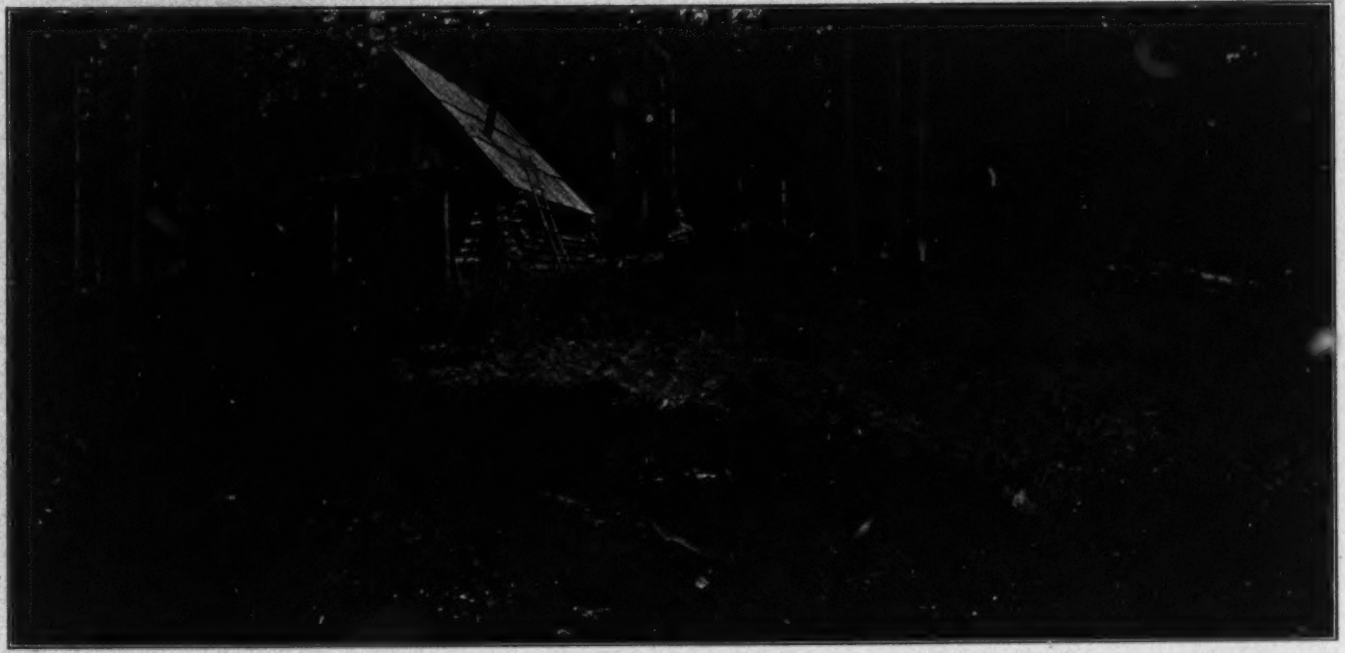
[Endorsed] No. 20. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-20. Received March 28, 1914. F. D. Monckton, Clerk.

21. On the back of this picture appears the following: Taken from W½ of NW¼ Sec. 9, T. 4 N., R. 3 W. Lewis claim.

[Endorsed] No. 21. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-21. Received March 28, 1914. F. D. Monckton, Clerk.

22. On the back of this picture appears the following: NE¼ Sec. 22, T. 4 N., R. 3 W. Hd. Jacob T. Schlicht.

[Endorsed] No. 22. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-22. Received March 28, 1914. F. D. Monckton, Clerk.



23. On the back of this picture appears the following. Cabin of F. W. Floater, NE¼ Sec. 19, T. 4 N., R. 3 W. Suit filed—1908.

[Endorsed] No. 23. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-23. Received March 28, 1914. F. D. Monckton, Clerk.

24. On the back of this picture appears the following: Taken from south line Sec. 24, T. 4 N., R. 3 W. Looking N & E. Lands have been logged off.

[Endorsed] No. 24. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-24. Received March 28, 1914. F. D. Monckton, Clerk.

25. On the back of this picture appears the following: Taken from SW¼ Sec. 14-4 N-3 W—Looking N and NE. Logged off.

[Endorsed] No. 25. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-25. Received March 28, 1914. F. D. Monckton, Clerk.

26. On the back of this picture appears the following: $\frac{20 \mid 21}{29 \mid 28}$ Looking North bet. Secs. 20 and 21-7 S. 7 W.

[Endorsed] No. 26. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-26. Received March 28, 1914. F. D. Monckton, Clerk.

27. On the back of this picture appears the following: View taken from near center of Section 2, T. 10 S., R. 3 E., looking NE. Taken from S. W. Corner of NE¼ looking N & E.

[Endorsed] No. 27. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-27. Received March 28, 1914. F. D. Monckton, Clerk.

28. On the back of this picture appears the following. Timber picture of Barclay's claim. NE¼ Sec. 30, 10 S., R. 1 E.

[Endorsed] No. 28. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-28. Received March 28, 1914. F. D. Monckton, Clerk.

29. On the back of this picture appears the following: NE¼ Sec. 30, T. 10 S., R. 1 E. Showing abandoned improvements on the W. L. Barclay claim.

[Endorsed] No. 29. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-29. Received March 28, 1914. F. D. Monckton, Clerk.

30. On the back of this picture appears the following: Timber picture taken near center of S½ of S½ Sec 4, T. 12 S., R. 1 E. Looking SW.

[Endorsed] No. 30. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-30. Received March 28, 1914. F. D. Monckton, Clerk.

31. SE¼ Sec. 12-11 S., 1 E.

[Endorsed] No. 31. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-31. Received March 28, 1914. F. D. Monckton, Clerk.

32. On the back of this picture appears the following: NE¼ Sec. 28, T. 10 S., R. 1 E. Showing buildings and field abandoned.

[Endorsed] No. 32. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-32. Received March 28, 1914. F. D. Monckton, Clerk.

33. On the back of this picture appears the following: Looking SE from the corner of 10-11-14 and 15, T. 14 S., R. 3 E.

[Endorsed] No. 33. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-33. Received March 28, 1914. F. D. Monckton, Clerk.

34. On the back of this picture appears the following: NE¼ Sec. 18, 10 S., R. 4 E. Showing remains of cabin and heavily timbered character of land.

[Endorsed] No. 34. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-34. Received March 28, 1914. F. D. Monckton, Clerk.

35. On the back of this picture appears the following: S½ NE¼ and N½ SE¼ Sec. 6, T. 10 S., R. 4 E. Showing lands logged off. Looking North and West.

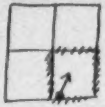
[Endorsed] No. 35. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-35. Received March 28, 1914. F. D. Monckton, Clerk.

36. On the back of this picture appears the following: 2 tallies north of corner 25, 26, 35 and 36. Looking northeast, showing right of way of the Chapman logging road, partly cleared.

[Endorsed] No. 36. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-36. Received March 28, 1914. F. D. Monckton, Clerk.

37. On the back of this picture appears the following: Taken from the east line of Sec. 26, T. 4 N., R. 3 W., looking east and south. 2 tallies north of cor. 25, 26, 35, 36.

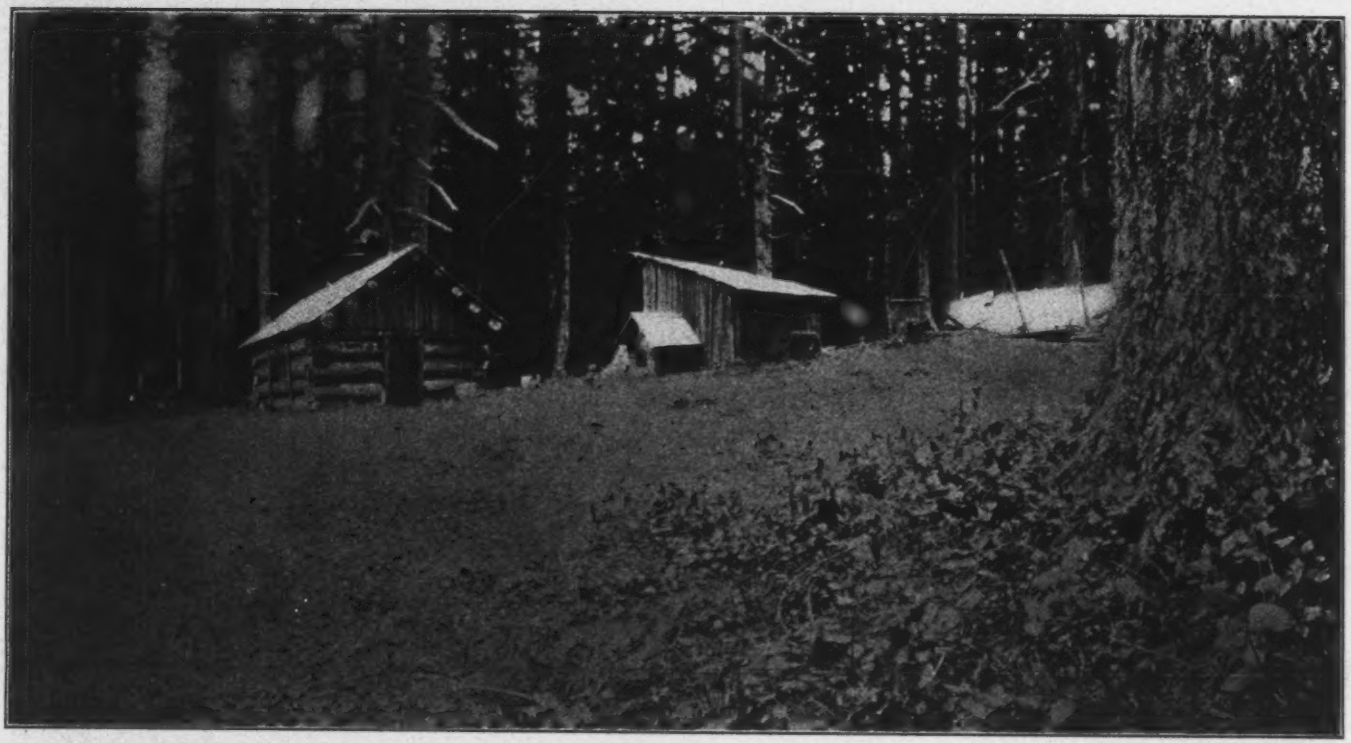
[Endorsed] No. 37. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-37. Received March 28, 1914. F. D. Monckton, Clerk.

38. On the back of this picture appears the following: "A" SE¼ Sec. 34-3 S., 2 E. Homestead of Otto Herrling. Filed Apri 4, 1905. Pat. Mch. 17/08. "No land in timber on  Photo taken Apr. 27th, 1912, by C. W. Kempton, Field Examiner. Report of J. Akinser, Field Examiner 2/28/1912. cultivation—not occupied—2 log houses 12 x 14—barn—value $10. About 12 acres slashed—a great deal of fine this claim—Valuable for timber only."

[Endorsed] No. 38. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-38. Received March 28, 1914. F. D. Monckton, Clerk.

39. On the back of this picture appears the following: SE¼ Sec. 34, 8 S. 2 E. See picture "A" (No. 38) for details. Hd. of Otto Herrling.

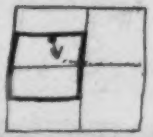
[Endorsed] No. 39. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-39. Received March 28, 1914. F. D. Monckton, Clerk.



40. On the back of this picture appears the following: See Picture "A" (No. 38). SE¼ Sec. 34-8 S. 2 E.

[Endorsed] No. 40. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-40. Received March 28, 1914. F. D. Monckton, Clerk.

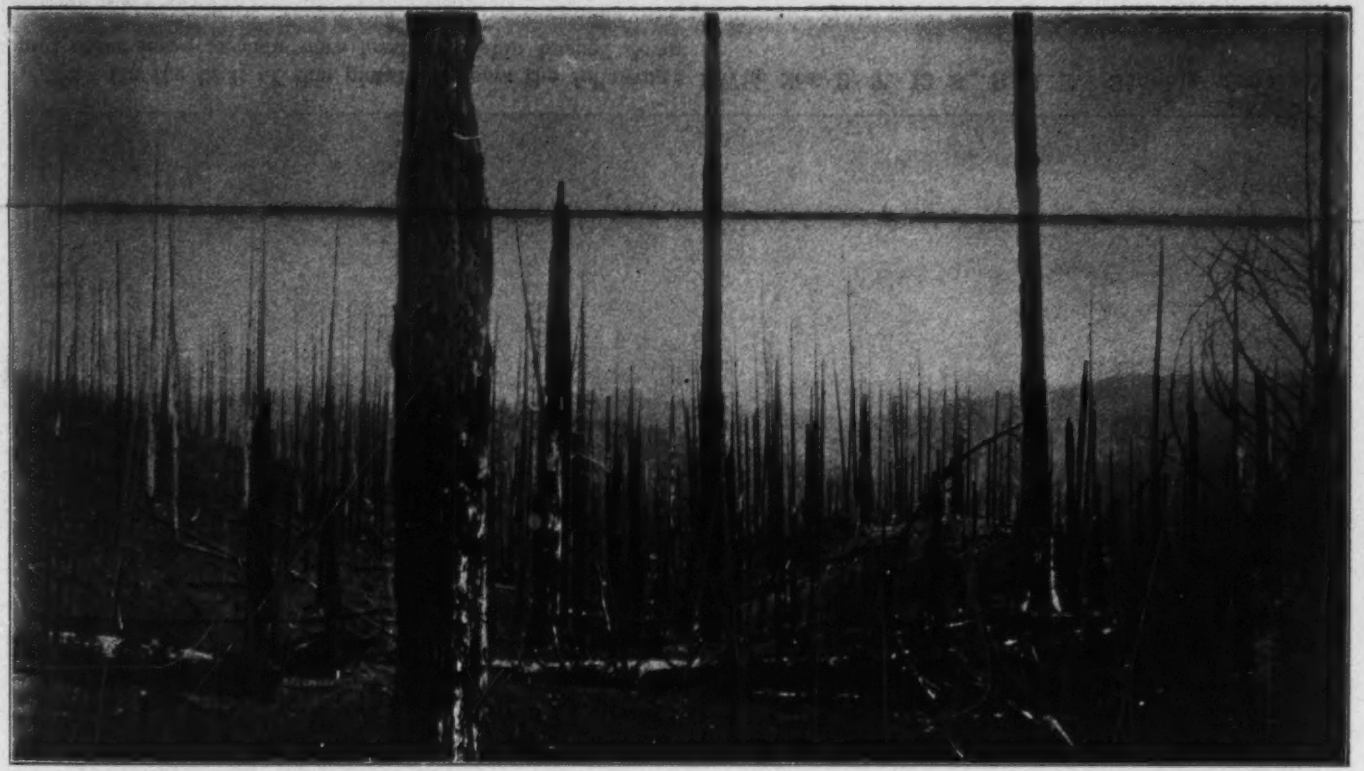
41. On the back of this picture appears the following: Enlarged view of S½ NW¼, N½ SW-Sec 2. Tp. 8 S., 8 W. Looking S. E. Homestead of Frank P. Farrington. Filed 3/28/00. Patent 4/6/03. Commuted entry. Taken April 9, 1912, by C. W. Kempton, Field Examiner. Synopsis of report of C. W. Kempton, Field Examiner O&C RR. Co. Feb. 29, 1912. "Land not occupied—not cultivated or cleared. No improvements except old house destroyed by a tree having fallen on it. Timber will run from 8 to 10 million bd. ft. on this claim." (Stuart)



[Endorsed] No. 41. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-41. Received March 28, 1914. F. D. Monckton, Clerk.

42. On the back of this picture appears the following: SW¼ Sec. 2, T. 12 S., R. 1 E. Showing where cabin and other improvements were located. Cabin burned down.

[Endorsed] No. 42. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-42. Received March 28, 1914. F. D. Monckton, Clerk.

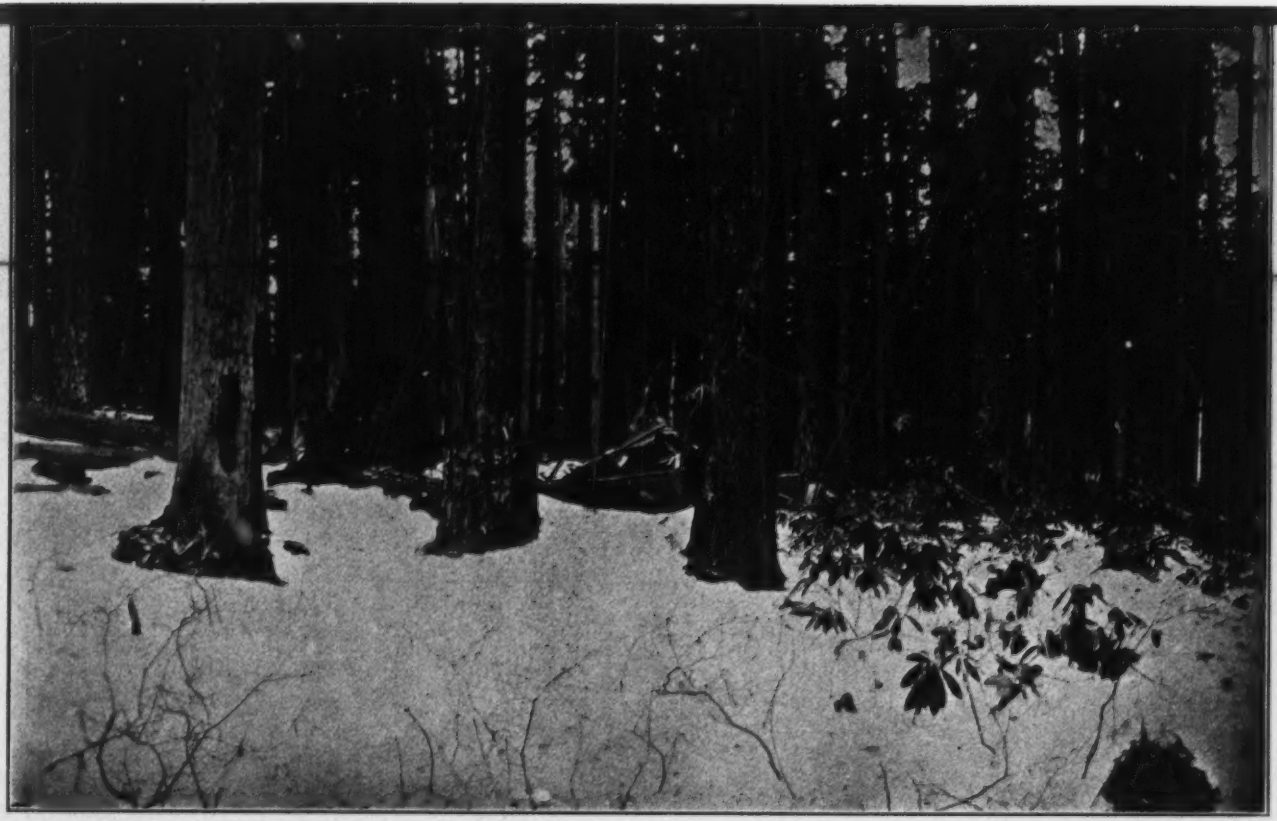


43. On the back of this picture appears the following: Sec. 8, 8 S. 7 W. NE¼ NW¼ of Sec. 8. Looking towards H. W. Jones homestead. Filed 1/24/10, unpatented. View looking SE. Showing character of land in Sec. 8. Taken 4/10/12, by C. W. Kempton, Field Examiner O&C RR. Co.

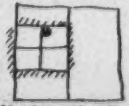
[Endorsed] No. 43. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-43. Received March 28, 1914. F. D. Monckton, Clerk.

44. On the back of this picture appears the following: S½ of S½ Sec. 4, T. 12 S., R. 1 E. Looking NE. Showing abandoned improvements on the Ella Wirt claim.

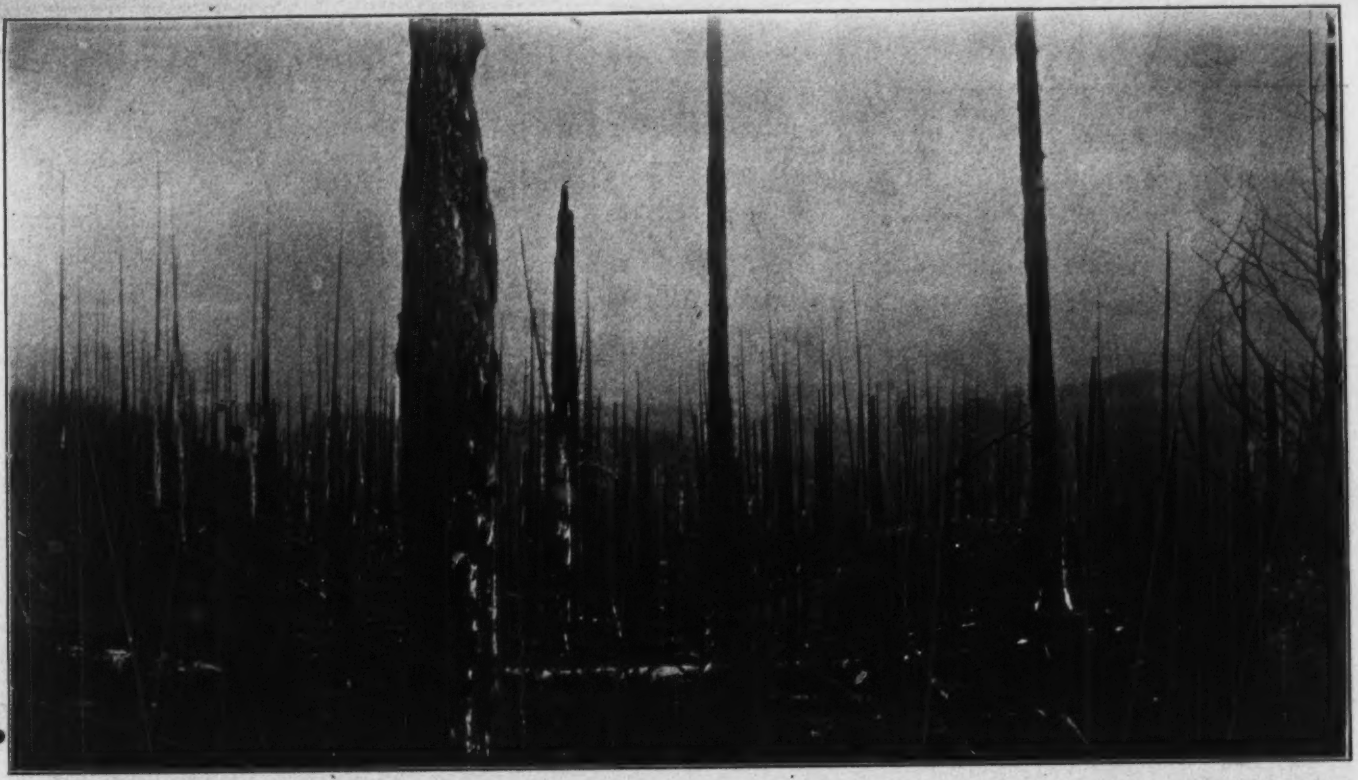
[Endorsed] No. 44. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-44. Received March 28, 1914. F. D. Monckton, Clerk.



45. On the back of this picture appears the following: S½ NW. N½ S W. Sec. 2, 8 S., 8 W. Hd. of Frank P. Farrington. Filed 3/28/00. Pat. 4/6/03. Looking SE. Taken Apr. 9/1912. C. W. Kempton. Report by C. W. Kempton, Field Examiner, 2/29/12, O&C RR. Co. Not occupied—no improvements except old house destroyed by tree falling on it. No cultivation—no clearing. Timber will scale 2 to 3 million ft. to the 40 acres or 8 to 10 million to the ¼ sec. or entry.



[Endorsed] No. 45. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-45. Received March 28, 1914. F. D. Monckton, Clerk.

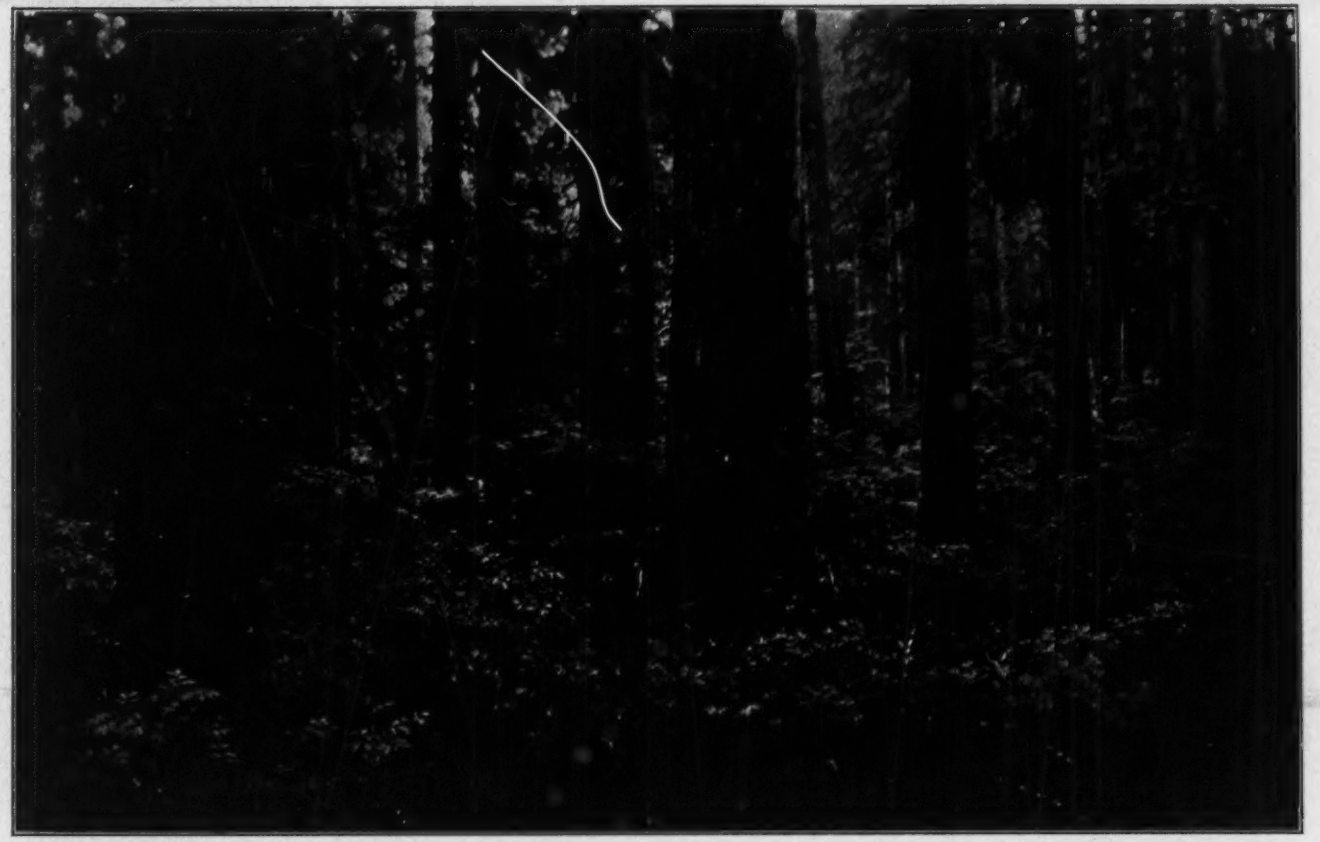


46. On the back of this picture appears the following: View of Sec. 8, 8 S. 7 W. Taken from NE¼ of NW¼ looking towards H. W. Jones homestead. View taken Apr. 10, 1912, by C. W. Kempton, field examiner O&C RR. Co. Looking SE. Showing "burn" and character of land in Sec. 8.

[Endorsed] No. 46. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-46. Received March 28, 1914. F. D. Monckton, Clerk.

47. SE¼ Sec. 30, 10 S., 1 E.

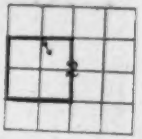
[Endorsed] No. 47. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-47. Received March 28, 1914. F. D. Monckton, Clerk.



48. On the back of this picture appears the following: Timber view NW¼ Sec. 34, 11 S., R. 2 E., W. M. July 1912. Taken by C. W. Kempton.

[Endorsed] No. 48. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-48. Received March 28, 1914. F. D. Monckton, Clerk.

49. On the back of this picture appears the following: S½ of NW¼, N½ of SW¼, 8 S., 8 W. Homestead of Frank P. Farrington. Filed Mch 28, 1900. Patented April 6, 1903. Sold in Mch. 1904 for $1600. Photo taken Apr. 9, 1912, by C. W. Kempton. View looking SE. Report of C. W. Kempton, field examiner, O&C RR. Co. 2/29/12. "Not occupied—no improvements except old house destroyed by tree falling on it—no cultivation—no clearing. Timber will run 8 to 10 million feet on this claim."



[Endorsed] No. 49. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-49. Received March 28, 1914. Monckton, Clerk.

50. On the back of this picture appears the following: SE¼ Sec. 18, T. 10 S., R. 4 E. Looking Northwest. Showing remains of cabin. SE¼-Sec. 18-10 S-4 E

[Endorsed] No. 50. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-50. Received March 28, 1914. F. D. Monckton, Clerk.

51. On the back of this picture appears the following: W½ of NE. and E½ of NW Sec. 24, T. 10 S., R. 1. E. Looking S. W. W. H. Small. Showing improvements abandoned Sec. 24-10S-1E. W. H. Small Sec. 24-10S-1 E. E½ of NW. & W½ of NE.

[Endorsed] No. 51. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-51. Received March 28, 1914. F. D. Monckton, Clerk.

52. SE¼ Sec. 12, 10 S., 3 E.

[Endorsed] No. 52. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-52. Received March 28, 1914. F. D. Monckton, Clerk.

53. On the back of this picture appears the following: SE¼ Sec. 20, T 11 S., R. 2 E. Showing improvements of J. A. Weaver, entryman. Photo by C. W. Kempton July, 1912,

[Endorsed] No. 53. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-53. Received March 28, 1914. F. D. Monckton, Clerk.

54. On the back of this picture appears the following: SW¼ Sec. 18, T. 10 S., R. 4 E. Looking Southwest and showing remains of improvements.

[Endorsed] No. 54. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-54. Received March 28, 1914. F. D. Monckton, Clerk.

55. On the back of this picture appears the following: SW¼ Sec. 28, 11 S., R. 2 E., W. M. Showing homestead improvements of Jas. H. Scott. Photograph by C. W. Kempton, July, 1912.

(Endorsed) No. 10. Index No. 410. Case No. 2499. U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-H. Received March 31, 1914. F. D. Monckton, Clerk.

56. On the back of this picture appears the following: SE-Sec. 28, T. 11 S. R. 2 E., W. M. Showing homestead improvements of Jas. G. Boyle. Photo by C. W. Kempton July, 1912.

[Endorsed] No. 56. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-56. Received March 28, 1914. F. D. Monckton, Clerk.

57. On the back of this picture appears the following: SW-26-11 S. R. 2 E., W. M. Showing improvements of James Darcy. Photo by C. W. Kempton, July, 1912.

[Endorsed] No. 57. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-57. Received March 28, 1914. F. D. Monckton, Clerk.

58. On the back of this picture appears the following: S½ of SW. Sec. 22, 10 S. 1 E. Homestead of Mathius Schmid.

[Endorsed] No. 58. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-58. Received March 28, 1914. F. D. Monckton, Clerk.

59. On the back of this picture appears the following: NW¼ Sec. 12, 11 S.-1 E. Taken at ¼ corner looking N & East. Cabin just over the line on SW¼.

[Endorsed] No. 59. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-59. Received March 28, 1914. F. D. Monckton, Clerk.

60. Timber NW¼ Sec. 20, 10 S., 1 E.

[Endorsed] No. 60. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-60. Received March 28, 1914. F. D. Monckton, Clerk.

61. Northwest ¼ Sec. 20-10 S-1 E.

[Endorsed] No. 61. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-61. Received March 28, 1914. F. D. Monckton, Clerk.

62. On the back of this picture appears the following: NE¼ Sec. 32-11 S. R. 2 E. Showing improvements of Fred W. Schultz, entryman. July, 1912. Photograph by C. W. Kempton.

[Endorsed] No. 62. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-62. Received March 28, 1914. F. D. Monckton, Clerk.

63. On the back of this picture appears the following: SW¼ of Sec. 20, T. 11 S. R. 2 E., W. M. Showing homesteader's improvements. C. C. Parker, entryman. Taken July, 1912.

[Endorsed] No. 63. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-63. Received March 28, 1914. F. D. Monckton, Clerk.

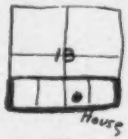
64. On the back of this picture appears the following: NE-34-11 S., R. 2 E., W. M. Showing improvements of John Holland, the entryman. July, 1912. Taken by C. W. Kempton.

[Endorsed] No. 64. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-64. Received March 28, 1914. F. D. Monckton, Clerk.

65. On the back of this picture appears the following: SW¼ Sec. 34, 8 S., 2 E. Leon D. Hedges homestead. View looking north. Taken by C. W. Kempton, Apr. 27, 1912. J. Akinser's report of Feb. 28, 1912: "Not occupied—vacant last 7 years. Log house 14 x 16, value $5.00. None in cultivation—1 acre partly slashed. Timber will run about 100 good saw trees of average size to the acre—valuable only for timber.

[Endorsed] No. 65. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-65. Received March 28, 1914. F. D. Monckton, Clerk.

66. On the back of this picture appears the following: Character of improvements made on homestead claim of Alfred Haldeman, S½ SE¼, and S½ SW¼ Sec. 18, Tp. 7 S., R. 6 W., W. M. Filed Nov. 20, 1900. Patented May 13, 1904. Sold in April 19, 1904—before patent issued for $895.21. Taken Apr. 2, 1912. C. W. Kempton.



Report by C. W. Kempton, Field Examiner, 4/2/12, O&C RR. Co.: House 12 x 12, barn 12 x 14. Not occupied—no clearing—no cultivation. All good timber—most value for timber.

[Endorsed] No. 66. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-66. Received March 28, 1914. F. D. Monckton, Clerk.

67. On the back of this picture appears the following: SE-10, T. 10 S., R. 3 E., W. M. Showing homestead improvements. Taken by C. W. Kempton, May 30, 1912.

[Endorsed] No. 67. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-67. Received March 28, 1913. F. D. Monckton, Clerk.

68. On the back of this picture appears the following: NW¼ Sec. 10, T. 10 S., R. 3 E. Showing improvements fallen down and overgrown with fern and brush. W. J. Wiggs claim. Cabin Sec. 10-10S-3 E. W. J. Wiggs claim. NW¼

[Endorsed] No. 68. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-68. Received March 28, 1914. F. D. Monckton, Clerk.

69. On the back of this picture appears the following: NE¼ Sec. 10, 8 S., 7 W. Louis Pfandhoefer Hd. Filed 5/14/00. Patent. 4/6/03.

Taken Apr. 10, 1912. Sold 5/15/03 for $1800. Looking S. E. Report of C. W. Kempton, Field Examiner O&C RR. Co. 2/6/12: Not occupied—no improvements — land rough — cut by several ravines—very steep and rough. Timber on place suitable for piling. Entry made for timber. (Note. On Apr. 10, 1912, Kempton, after diligent search, found this old broken down house on NW of NE—no other impvts. found). Stuart.

[Endorsed] No. 69. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-69. Received March 28, 1914. F. D. Monckton, Clerk.

70. On the back of this picture appears the following: SE¼ Sec. 10, 8 S., 7 W. Patented 2/23/92. Taken April 10, 1912, by C. W. Kempton, field examiner O&C RR. Kempton, 2/6/12: "Not occupied—no improvements except old log house, badly around a fern opening of 2 acres. Land very rough—no clearing, no cultivation. Taken for timber value only.

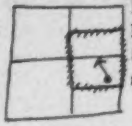
Homestead of Ole Nielsen. Filed 3/4/90. Co. Looking NW. Report of C. W. decayed and broken down. Pole fence Timber will run 5 million to this claim.

[Endorsed] No. 70. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-70. Received March 28, 1914. F. D. Monckton, Clerk.

71. On the back of this picture appears the following: SE¼ Sec. 10, 8 S 7 W. Hd. of Ole Neilsen. Filed 3/4/90. Pat. 2/23/92. Sold 10/11/02 $800. Taken Apr. 10, 1912. C. W. Kempton. Looking N. 2 acres natural clearing. Report of C. W. Kempton, Field Examiner, 2/6/12: Not occupied—no improvements except old log house, badly decayed and broken down. Pole fence around a fern opening of about 2 acres. Land very rough—no clearing—no cultivation. Timber will run about 30 thousand to the acre. (5 million to the claim. Entry made for timber only.

[Endorsed] No. 71. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-71. Received March 28, 1914. F. D. Monckton, Clerk.

72. On the back of this picture appears the following: Enlarged view of S½ NE¼, N½ SE¼, Sec. 2, T. 8 S., R. 8 W. Homestead of John F. Johnson. Filed Feb. 15, 1900—Patented June 23, 1902. Commuted. Sold Dec. 6, 1905, for $2000. Taken 4/9/12 by C. W. Kempton, Field Examiner O & C RR. Co. Looking N. W. Report of C. W. Kempton, examination made 2/29/12. "Not occupied—no improvements except old log house. Land on high ridge—general slope north. No cultivation or clearing. Timber on claim will run from 70000 to 80000 ft. per acre. (2,800,000 Bd. ft. to the 40 acres, or 10 to 11 millions to the claim). Timber clean and of nice size. Entry made for timber. (Stuart)



[Endorsed] No. 72. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-72. Received March 28, 1914. F. D. Monckton, Clerk.

73. No. 2949 — Wilson homestead. SE¼ Sec. 8, from a point 5 chains west and 3 chains south of the quarter post between sections 8 and 9, looking west. Shows where house and outbuildings used to stand, with heavy timber in the background. (See letter A. W. Rees, June 28, 1912. File 464).

[Endorsed] No. 73. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-73. Received March 28, 1914. F. D. Monckton, Clerk.

74. No. 2947—Anderson homestead; NE¼ Sec. 8, T. 4 N., R. 3 W.; from a point 5 chains west and 2 chains north of the ¼ post between sections 8 and 9. View looking NW. Shows stable and something of the character of the land, but does not show the house, which stands just to the right of the stable. (See letter A. W. Rees, June 28, 1912. File 464). Anderson Claim NE¼ Sec. 8, T 4 N R. 3 W.

[Endorsed] No. 74. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-74. Received March 28, 1914. F. D. Monckton, Clerk.

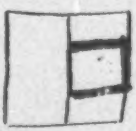
75. On the back of this picture appears the following: "A" S½ NE, N½ SE, 8 S., 8 W. Homestead of John F. Johnson. Filed Feb. 15, 1900—Patent. June 23, 1902. Sold 12/6/05 for $2000. View taken Apr. 9, 1912, by C. W. Kempton, field examiner, O&C RR. Co. Looking NW. Report of C. W. Kempton, field examination 2/29/12. "Not occupied—no improvements except old log house—land on high ridge—slope north—no cultivation—no clearing. Timber on claim will run from 70 to 80 M. Bd. Ft. per acre, or 11 million feet to claim. Timber clear and of nice size—entry made for timber only."

[Endorsed] No. 75. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-75. Received March 28, 1914. F. D. Monckton, Clerk.

76. On the back of this picture appears the following: S½ NE, N½ SE, Sec. 2, 8 S., 8. W. See picture "A" (No. 75) for details. Hd. of John F. Johnson.

[Endorsed] No. 76. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-76. Received March 28, 1914. F. D. Monckton, Clerk.

77. On the back of this picture appears the following: S½ NE, N½ SE, Sec. 2, 8 S., 8 W.



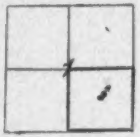
Homestead of John F. Johnson. See report on picture "A" (No. 75).

[Endorsed] No. 77. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-77. Received March 28, 1914. F. D. Monckton, Clerk.

78. On the back of this picture appears the following: S½ NE, N½ SE, Sec. 2, 8 S., 8 W. John F. Johnson, Filed 2/15/00. Pat. 6/23/02. Sold in 1905 for $2000. Taken Apr. 9, 1912. C. W. Kempton. Looking N. For report see picture "A" (No. 75).

[Endorsed] No. 78. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-78. Received March 28, 1914. F. D. Monckton, Clerk.

79. On the back of this picture appears the following: "B". SE¼ Sec. 1, 8 S., 8 W.



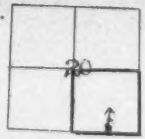
Railroad land. Claimed by S. R. Skeels (Lives in Falls City). Not occupied — partly furnished. View taken Apr. 9, 1912, by C. W. Kempton, field examiner O&C RR. Co. Taken looking NE. Showing house, barn and timber. The notice posted on tree states that he has filed an application to purchase this tract from the O&C RR. Co. @ $2.50 per acre under the Revised Statutes U. S.

[Endorsed] No. 79. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-79. Received March 28, 1914. F. D. Monckton, Clerk.

80. On the back of this picture appears the following: View of SE¼ Sec. 1, 8 S. 8 W. See explanation picture "B" (No. 79).

[Endorsed] No. 80. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-80. Received March 28, 1914. F. D. Monckton, Clerk.

81. On the back of this picture appears the following: "C" SE¼ Sec. 20, 7 S., 7 W. Homestead of Robt. B. Hansen. Filed July 3, 1900. Patent. Jan 23, 1902. View taken Mch. 29, 1912, by C. W. Kempton, Field Examiner O&C RR Co. Looking North. "Not occupied—improvements burnt down. No cultivation—no clearing—entry made for timber."



[Endorsed] No. 81. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-81. Received March 28, 1914. F. D. Monckton, Clerk.

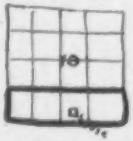
82. On the back of this picture appears the following View of SE¼ Sec. 20, 7 S., 7 W. Robt. B. Hansen Hd. See picture "C" (No. 81).

[Endorsed] No. 82. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-82. Received March 28, 1914. F. D. Monckton, Clerk.

83, S½ of NE¼, N½ SE¼, Sec. 24-10 S., 2 E.

[Endorsed] No. 83. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-83. Received March 28, 1914. F. D. Monckton, Clerk.

84. On the back of this picture appears the following: S½ SE¼, S½ SW¼. Sec. 18, 7 S. 6 W.



Homestead of Alfred Haldeman. Filed 11/20/00. Patent 5/13/04. View taken Apr. 2, 1912, by C. W. Kempton, field examiner O&C RR. Co. Report of C. W. Kempton: Not occupied, no clearing, no cultivation. All good timber—most valuable for timber.

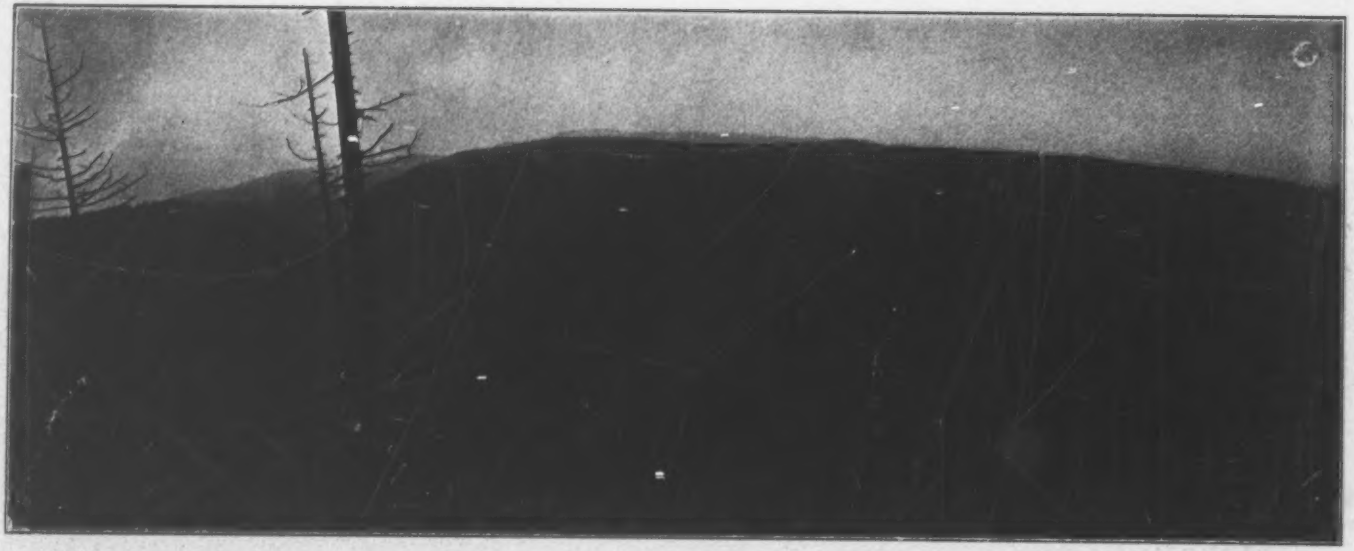
[Endorsed] No. 84. Defts. Ex. 273. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 273-84. Received March 28, 1914. F. D. Monckton, Clerk.

DEFENDANTS' EXHIBIT 274

CONSISTS
OF SIX PHOTOGRAPHS
NUMBERED FOR CONVENIENCE
AS FOLLOWS:

1. On the back of this picture appears the following: Looking East from Northwest corner Sec 7 T 4 S R 5 E—up North Fork of Clackamas River.

[Endorsed] No. 1. Defts. Ex. 274. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 274-1. Received March 28, 1914. F. D. Monckton, Clerk.



2. On the back of this picture appears the following: Photograph taken by Kempton 5/7/12 Looking West from Southeast corner Sec. 18 T 4 S R 5 E. W M

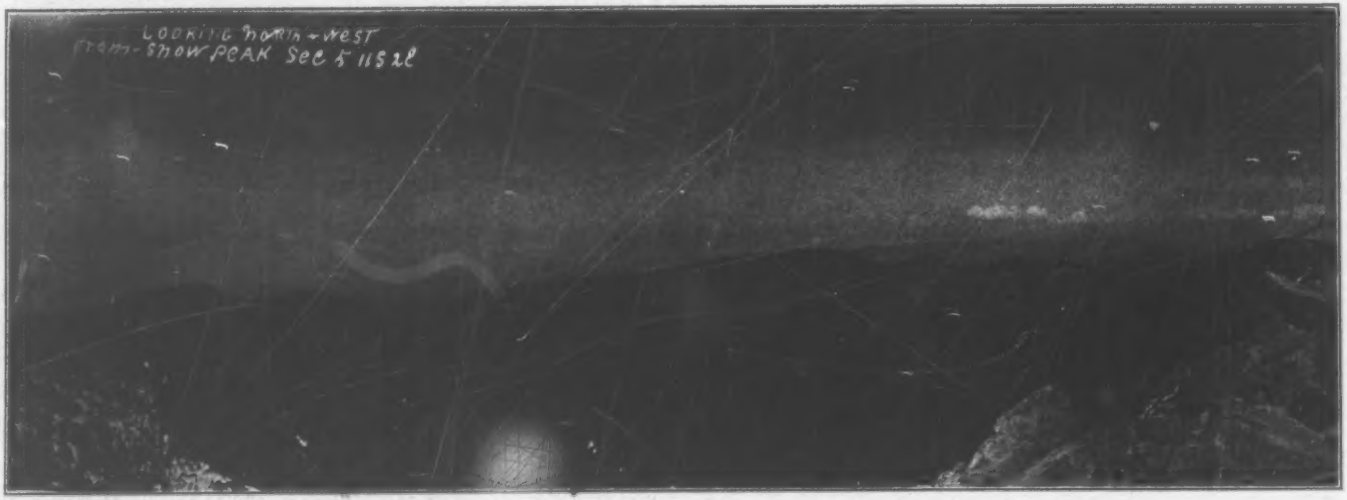
[Endorsed] No. 2. Defts. Ex. 274. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 274-2. Received March 28, 1914. F. D. Monckton, Clerk.

3. On the back of this picture appears the following: Taken from Snow Peak, SE of SE, Sec. 5, T. 11 S., R. 2 E. Looking Southwest.

[Endorsed] No. 3. Defts. Ex. 274. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 274-3. Received March 28, 1914. F. D. Monckton, Clerk.

4. On the back of this picture appears the following: Taken from Snow Peak in SE of SE, Sec. 5, T. 11 S., R. 2 E. Looking East.

[Endorsed] No. 4. Defts. Ex. 274. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 274-4. Received March 28, 1914. F. D. Monckton, Clerk.



5. On the back of this picture appears the following: Taken from Snow Peak, SE. Sec. 5-11 S., R. 2 E.

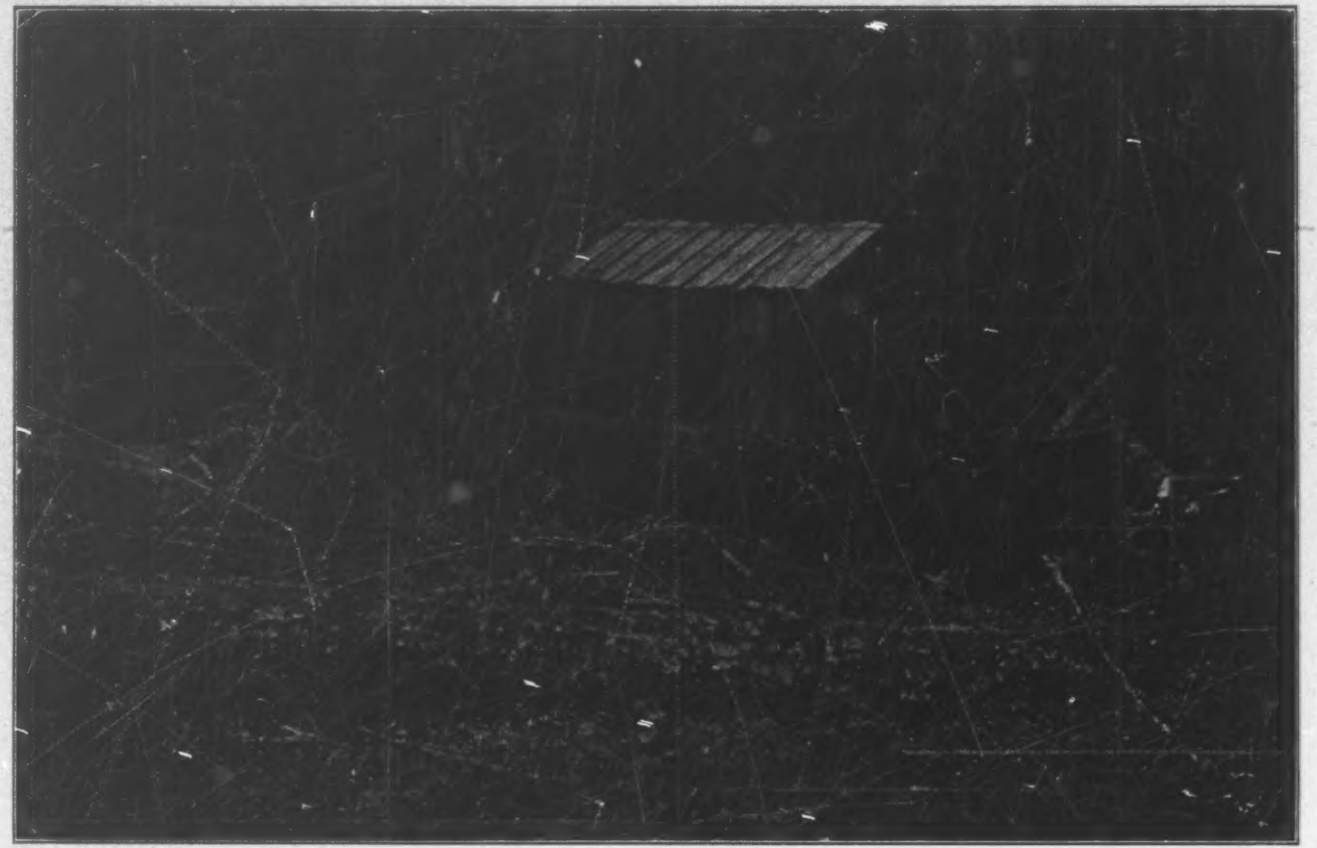
[Endorsed] No. 5. Defts. Ex. 274. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 274-5. Received March 28, 1914. F. D. Monckton, Clerk.

6. On the back of this picture appears the following: Looking Northwest from Southeast corner Sec. 18, T. 4 S., R. 5 E., W. M., Strait cabin can be seen in SE of NW¼. Taken by Kempton 5/7/12.

[Endorsed] United States v. Oregon & California R. R. Co., Defendants' Ex. 274. Filed May 10, 1913, A. M. Cannon, Clerk U. S. District Court. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 274-6. Received March 28, 1914. F. D. Monckton, Clerk.

DEFENDANTS' EXHIBIT 313

CONSISTS
OF 4 PHOTOGRAPHS
TAKEN BY BEN IRWIN, IN DOUGLAS COUNTY, SHOWING
ABANDONED CABINS (NUMBERED FOR CONVENIENCE)
AS FOLLOWS:



1. On SE'SE-27-22S-6W-looking SW.

[Endorsed] No. 1. Defts. Ex. 313. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 313-1. Received March 28, 1914. F. D. Monckton, Clerk.

2. On SE'SE-27-22S-6W-looking E.

[Endorsed] No. 2. Defts. Ex. 313. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 313-2. Received March 28, 1914. F. D. Monckton, Clerk.

3. On NW-SE-27-22S-6W-looking NW.

[Endorsed] No. 3. Defts. Ex. 313. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 313-3. Received March 28, 1914. F. D. Monckton, Clerk.

4. On NW-SE-27-22S-6W-looking NW.

[Endorsed] United States v. Oregon & California R. R. Co. et al. Defendants' Ex. 313. Filed May 10, 1913, A. M. Cannon Clerk U. S. District Court. Defts. Ex. 313-4. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 313-4. Received March 28, 1914. F. D. Monckton, Clerk.

DEFENDANTS' EXHIBIT 367

CONSISTS
OF A PHOTOGRAPH
AS FOLLOWS:

View of Oregon City-Willamette Falls. Railroad graded under Elliott in 1868.

[Endorsed] United States v. Oregon & California R. R. Co. et al. Defendants' Ex. 367. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 367. Received March 28, 1914. F. D. Monckton, Clerk.

DEFENDANTS' EXHIBIT 371

CONSISTS
OF A PHOTOGRAPH
AS FOLLOWS:

Retaining walls of dry rubble masonry at Oregon City. Put in by Elliott in 1868.

[Endorsed] United States v. Oregon & California R. R. Co. et al. Defendants' Ex. 371. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Defts. Ex. 371. Received March 28, 1914. F. D. Monckton, Clerk.

GOVERNMENT'S EXHIBIT 124

CONSISTS
OF A PHOTOGRAPH
AS FOLLOWS:

E. J. Mahan's place, being the west half of the northwest quarter and the northwest quarter of the southwest quarter of section 17, township 39, range 1 east.

[Endorsed] United States v. Oregon & California R. R. Co. et al. Government's Ex. 124. Case No. 2400—U. S. Circuit Court of Appeals, Ninth Circuit. Govts. Ex. 124. Received March 28, 1914. F. D. Monckton, Clerk.

IN THE UNITED STATES CIRCUIT COURT OF APPEALS
NINTH CIRCUIT

OREGON & CALIFORNIA RAILROAD COMPANY, a corporation, et al.,
Defendants and Appellants.

JOHN L. SNYDER, et al.,
Cross-Complainants and Appellants.

WILLIAM F. SLAUGHTER, et al.,
Interveners and Appellants.

vs.

THE UNITED STATES OF AMERICA,
Appellee.

No. 2400

ORDER AUTHORIZING PRINTING BY CLERK OF PHOTOGRAPHIC EXHIBITS.

Based upon stipulation of parties, set out in paragraph VIII, pages 8659-8660, Volume XVI, Transcript of Record, and pursuant to due notice to attorneys for the United States, and on application of Wm. F. Herrin, P. F. Dunne and Wm. D. Fenton, Solicitors for the Defendants and Appellants, Oregon & California Railroad Company, Southern Pacific Company and Stephen T. Gage, individually and as Trustee:

IT IS HEREBY ORDERED that photographic exhibits known as "Defendants' Exhibits 267 to 270, both inclusive, 273, 274, 313, 367, 371", and "Government's Exhibit 124", now certified up from

the Court below and filed in this Court as a part of the transcript of record in said cause, may be printed by and under the direction of Frank D. Monckton, Clerk of this Court; and that 210 copies thereof may be so printed, and that when so printed there shall be filed in this Court 51 copies thereof as a part of the transcript of record for the use of this Court and of the Supreme Court of the United States, in case of an appeal to that Court from the decision to be rendered in this Court, and the remainder of said volume shall be delivered to the solicitors of record of the appellants Oregon and California Railroad Company, Southern Pacific Company and Stephen T. Gage.

IT IS FURTHER ORDERED that said exhibits may be withdrawn by the appellants from the files for said purpose, and delivered to the solicitors for the aforesaid appellants, they to assume all risk of loss and mutilation and damages resulting from delays.

Dated: April 7th 1914.

WM. W. MORROW,
Circuit Judge.

Filed Apr. 7th 1914
F. D. Monckton,
Clerk.

TABLE OF CONTENTS

PAGE

DEFENDANTS' EXHIBIT 267.....8820-26
Consisting of:
Panoramic view and blue print plat of T. 7 S., R. 7 W., and western portion of T. 7 S., R. 6 W. 8820
Letter of Angell and Fisher to Chas. W. Eberlein relative to said picture and plat 8821
Affidavit of F. A. Elliott and Homer D. Angell, relating to territory covered by above picture and delineated on said plat 8824
Affidavit of G. W. Gifford in reference to said picture 8825

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Consisting of:
Panoramic pictures and blue print plat of portion of T. 20 S., R. 1 W. 8827
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10. Cabin of Joseph A. Maxwell, probably situated on NE ¼ of Sec. 27, T. 4 N., R. 3 W..... 8839
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23-4. Cabin of Albert Armes on NE ¼ of Sec. 35, T. 4 N., R. 3 W..... 8843-4
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30-31. Cabin of W. H. Anderson on NE ¼ of Sec. 5, T. 4 N., R. 3 W..... 8848-9
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93, 94. Cabin of George C. McLafferty, NW ¼ Sec. 25, T. 4 N., R. 3 W..... 8887-8
96. NE ¼ of Sec. 10, T. 3 N., R. 3 W.. 8889
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DEFENDANTS' EXHIBIT NO. 274....9013-9019
Consisting of six views (with notations thereon) as follows:
1. View, looking E, from NW. Cor. Sec. 7, T. 4 S., R. 5 E., up North fork of Clackamas River 9014
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View of Oregon City, Willamette Falls, railroad graded under Elliott in 1868. 9027-8

DEFENDANTS' EXHIBIT 371.
Retaining walls of dry rubble masonry at Oregon City, put in by Elliott in 1868..9029-30

GOVERNMENT'S EXHIBIT 124.
View of E. J. Mahan's place, W ½ of NW ¼ and NW ¼ of SW ¼ Sec. 17, T. 39 N., R. 1 E.....9031-32

Order authorizing printing by Clerk of photographic exhibits 9033-34